

PASCUA YAQUI TRIBE

COMMUNITY NOTICE

ORDINANCE OF THE PASCUA YAQUI TRIBE AMENDING CORONAVIRUS PROTECTION ORDER

The Tribal Council, in the best interest of the health and safety of our tribal members residing on the Pascua Yaqui Reservation, hereby rescinds and repeals Sections 1-8 of the Coronavirus Protection Ordinance.

On Wednesday, May 26, 2021, the Tribal Council, in the best interest of the health and safety of our tribal members residing on the Pascua Yaqui Reservation, rescinded and repealed Sections 1-8, of the Coronavirus Protection Ordinance.

This amended ordinance passed by Resolution C05-142-21 Lifts the Stay-at-Home Order and the Tribal curfew. It also opens our public parks, public places, including the cultural and church grounds. Restrictions on public and private gatherings are also lifted. Finally, the restrictions on food and candy sales are also repealed.

Pascua Yaqui Reservation Residents, community members, and employees heard the urgent message to stay home as much as possible and accepted that challenge to slow the surge and save lives. Together, we changed our activities knowing our short-term sacrifices would lead to longer-term gains. COVID-19 is still here and still deadly, so our work is not over, but it is important to recognize our collective actions save lives and we are turning a critical corner.

Please follow the Community Guidelines for Group Events and Gatherings on the Reservation issued by the Pascua Yaqui Tribal Health Department.

The Amended Ordinance shall be effective on Wednesday, May 26, 2021, and shall remain in full force and effect unless otherwise rescinded, amended or extended.

PASCUA YAQUI TRIBE

RESOLUTION NO. C05-142-21

RESOLUTION OF THE PASCUA YAQUI TRIBE AMENDING ORDINANCE NO. 26-20, THE CORONAVIRUS PROTECTION ORDINANCE.

WHEREAS, Article VI, Section 1(o) of the Constitution of the Pascua Yaqui Tribe vests the Pascua Yaqui Tribal Council with the power “to develop and adopt ordinances, resolutions, rules and regulations to protect and promote the peace, health, safety and general welfare of the Pascua Yaqui people and to facilitate the conduct and operation of the tribal government;” and

WHEREAS, on March 17, 2020, the Pascua Yaqui Tribal Council approved Resolution No. C03-66-20, which declared a tribal emergency concerning COVID-19; and

WHEREAS, on May 27, 2020, the Pascua Yaqui Tribal Council, by Resolution No. C05-121-20, enacted Ordinance No. 26-20, the Coronavirus Protection Ordinance, which provided that residents stay at home and enacted a curfew, among other provisions; and

WHEREAS, on March 24, 2021, the Pascua Yaqui Tribal Council, by Resolution No. C03-74-21, amended Ordinance No. 26-20, the Coronavirus Protection Ordinance, which exempted the operations of commercially licensed food trucks otherwise in compliance with local licensing and permitting requirements to operate and sell food in designated areas; and

WHEREAS, with vigilance and common sense, and as a result of the continued sacrifices made by all in the interest of public health over the past fourteen months, COVID-19 infections and resulting hospitalizations have been effectively managed and have significantly declined; and

WHEREAS, the Pascua Yaqui Council must protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical professionals and CDC Guidance; and

WHEREAS, the Tribe continues to safely recover, the key to reducing the spread of COVID-19 is the continued implementation of reasonable public health measures under the current circumstances including social distancing, limited capacity of gatherings where individuals are in prolonged close proximity, and use of face coverings for individuals who are not vaccinated who are engaged in close proximity activities, and for prolonged gatherings where social distancing is not feasible; and

WHEREAS, while in recent weeks, the Pascua Yaqui Tribe has seen a sharp decline in COVID-19 infections and resulting hospitalizations, and the vaccine roll-out is proceeding as expeditiously as possible, in consultation with Tribal health officials, in order to continue to disrupt the spread of COVID-19 and minimize associated risks, it is necessary to adopt reasonable public health measures; and

WHEREAS, the Pascua Yaqui Tribal Council finds that it is in the best interests of the Pascua Yaqui Tribe to amend Ordinance 26-20, the Coronavirus Protection Ordinance.

NOW THEREFORE BE IT RESOLVED that the Pascua Yaqui Tribal Council 1) amends Ordinance No. 26-20, the Coronavirus Protection Ordinance; 2) rescinds and repeals key sections of the ordinance and shall be effective at 5:00 p.m. on Wednesday, May 26, 2021, and shall remain in full force and effect unless otherwise rescinded, amended, or extended; and 3) authorizes the Chairperson to take any and all necessary actions to implement and enforce this Resolution, Ordinance No. 26-20, and the intent thereof.

CERTIFICATION

THE FOREGOING was on **May 26, 2021**, duly adopted by a vote of **ELEVEN** in favor, **ZERO** opposed, and **ZERO** abstained, by the Tribal Council of the Pascua Yaqui Tribe pursuant to authority vested in it by Article VI, Section 1(o) of the Constitution of the Pascua Yaqui Tribe as adopted on January 26, 1988 and approved by the Secretary of the Interior February 8, 1988 pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



CHAIRMAN OF THE PASCUA YAQUI TRIBE



SECRETARY OF THE PASCUA YAQUI TRIBE



PASCUA YAQUI TRIBE

ORDINANCE NO. 22-20

BE IT ENACTED BY THE TRIBAL COUNCIL OF THE PASCUA YAQUI TRIBE,
pursuant to Resolution No. C05-142-21, the following amended Ordinance:

ORDINANCE OF THE PASCUA YAQUI TRIBE ENACTING A CORONAVIRUS PROTECTION ORDER.

The Tribal Council, expressly in the best interest of the health and safety of our tribal members residing on the Pascua Yaqui Reservation, hereby rescinds and repeals Sections 1-8.

This Amended Ordinance shall be effective at 5:00 p.m. on Wednesday, May 26, 2021, and shall remain in full force and effect unless otherwise rescinded, amended or extended.

1. All individuals residing on the Pascua Yaqui Reservation are ordered to stay at home or their current place of residence, except as may be required for medical treatment, food, or safety for themselves or their family members. When leaving your home to obtain these essential services, as few people should leave the home as possible.
2. A curfew is in effect from 10:00 p.m. - 5:00 a.m.
3. All parks and non-essential public places of gathering are closed, including the cultural and church grounds, with the exception of the walking paths, which may be used for outdoor exercise.
4. All public and private gatherings of any number of people occurring at a single household or living unit are prohibited, except for the limited purposes expressly permitted in this Order.
5. There shall be no gatherings of more than ten people.
6. Food or candy sales out of trucks or residences are prohibited.
7. Exceptions to the stay at home Order are provided as follows:
 - A. To engage in outdoor recreation activity, including without limitation walking, hiking, biking, running, if done in compliance with social distancing requirements.
8. Exceptions to the stay at home and curfew Orders are provided as follows:
 - A. For employment or to volunteer.
 - B. To perform your cultural obligations.
9. All residents and any visitors must:

- A. Practice social distancing.
 - B. Wash hands frequently. If soap and water are not readily available, use a hand sanitizer that contains at least 60% alcohol.
 - C. Individuals who are sick must not leave their residence, except to seek medical care.
 - D. Refrain from handshakes or hugs and use alternative forms of greeting.
 - E. Cover your coughs and sneezes with a tissue, which should be discarded immediately.
 - F. Cloth face coverings shall be worn in public settings, including the workplace, where social distancing measures are difficult to maintain.
10. This Order does not restrict the operations of any commercial enterprises on the Pascua Yaqui Reservation not specifically prohibited by this Order, so long as those enterprises are undertaking efforts to prevent the transmission of COVID-19 among employees and customers as set out in Section 9.
11. This Order does not restrict the operations of any commercially licensed food truck otherwise in compliance with local licensing and permitting requirements to operate and sell food in designated areas. Food truck vendors must adhere to guidance put forth by the Centers for Disease Control and Prevention pertaining to safety measures intended to help prevent the spread of COVID-19, such as practicing social distancing, encouraging cashless payment transactions, and not offering self-serve condiments. In addition to complying with local food code requirements, food truck vendors and employees must follow the guidance put forth by the U.S. Food and Drug Administration establishing best practices for food safety during the COVID-19 pandemic, available at: [Best Practices for Retail Food Stores, Restaurants, and Food Pick-Up/Delivery Services During the COVID-19 Pandemic | FDA](#)
- A. "Food Truck" or "Food Truck Vendor" means a food service establishment that is a vehicle mounted unit, motorized or trailered, operating with the approval of the Tribal regulatory authority, and operated in conjunction with a tribal business license, County or State permit, food handlers certification, and with Indian Health Service (I.H.S.) approval, and readily movable, without disassembling, for transport to another location.
12. The Pascua Yaqui Tribe's Law Enforcement shall enforce this Order pursuant to 4 PYTC § 1-710.

13. This Ordinance shall be effective immediately and shall continue until further action is taken by the Tribal Council.
14. The Public Health Authority shall provide a written report to Tribal Council daily on the numbers of individuals tested, and include statistical, non-identifying, information for:
 - A. The number of pending, confirmed, and positive/negative tests;
 - B. A breakdown of Tribal members for each category of test data above; and
 - C. A breakdown of Tribal employees for each category of test data above.
15. Department Directors that contract with congregate-type settings, such as prisons, group homes, behavioral health facilities, nursing/long term care facilities, shall obtain similar statistical information set out in paragraph 14 for each of the facilities with which the Department contracts.

CERTIFICATION

THE FOREGOING was on **May 26, 2021** duly adopted by a vote of **ELEVEN** in favor, **ZERO** opposed, and **ZERO** abstained, by the Tribal Council of the Pascua Yaqui Tribe pursuant to authority vested in it by Article VI, Section 1(o) of the Constitution of the Pascua Yaqui Tribe as adopted on January 26, 1988 and approved by the Secretary of the Interior February 8, 1988 pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



CHAIRMAN OF THE PASCUA YAQUI TRIBE

5/27/2021
Date



SECRETARY OF THE PASCUA YAQUI TRIBE

5/27/2021
Date

