

RE: SEMINOLE TRIBE OF FLORIDA BUILDING CODE FOR ALL  
CONSTRUCTION PROJECTS ON TRIBAL TRUST LANDS OF THE  
SEMINOLE TRIBE OF FLORIDA

SEMINOLE TRIBE OF FLORIDA  
HOLLYWOOD, FLORIDA

RESOLUTION NO. C- 228-02

- WHEREAS, the Seminole Tribe of Florida is an organized Indian Tribe as defined in Section 16 of the Act of June 18, 1934, as amended; and
- WHEREAS, Tribal Council Resolution No. C-84-96 authorized and directed that all construction projects whether new or rehabilitative be performed in accordance with the applicable building code adopted by the jurisdiction where the particular Tribal lands to be improved were located; and
- WHEREAS, the State of Florida has adopted a statewide unified building code that is based upon a national model building code. It provides minimum requirements for permitting, plans review, and inspections; and
- WHEREAS, the Tribe's Chief Building Inspector recommends that the Tribal Council rescind Tribal Council Resolution No. C-84-96, and that it establish a single, unified Seminole Tribe of Florida Building Code modeled upon the new Florida Building Code for all construction, new and rehabilitative, on Tribal trust lands of the Seminole Tribe of Florida; and
- WHEREAS, the Florida Building Code is compiled in four volumes with the National Electrical Code adopted by reference. The four volumes are: Building, which includes energy, accessibility and state agency regulations; Plumbing; Mechanical, and Fuel Gas; and
- WHEREAS, the Chief Building Inspector of the Tribe proposes to utilize the standards and specifications found in the Florida Building Code as required to administer and enforce the Tribal Building Code; and
- WHEREAS, the Tribal Council of the Seminole Tribe of Florida, without waiving its sovereign immunity, has determined that it is in the best interest of the Tribe and its members to adopt, as a matter of Tribal law, the provisions of the Florida Building Code for all construction projects, whether new or rehabilitative, to be performed on Tribal trust lands; and
- WHEREAS, the Tribal Council of the Seminole Tribe of Florida is otherwise fully advised.

NOW THEREFORE BE IT RESOLVED: that the Tribal Council of the Seminole Tribe of Florida hereby rescinds Tribal Council Resolution No. C-84-96 in its entirety in order to adopt and approve a new Seminole Tribe of Florida Building Code to be based upon the single set of documents contained in the new State of Florida Building Code; and

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BE IT FURTHER RESOLVED: that the Tribal Council, without waiving the sovereign immunity of the Tribe, and without making the new Florida Building Code applicable to construction projects on the Tribal trust lands of the Seminole Tribe of Florida, as a matter of Florida law, nevertheless adopts, as a matter of Tribal law, the provisions of the new Florida Building Code with respect to all construction projects, whether new or rehabilitative, to be performed on the Tribal trust lands of the Tribe as a matter of Tribal law and that such Tribal Building Code shall be strictly enforced by the Tribe's Chief Building Inspector, unless a waiver has been granted by resolution of the Tribal Council for a specific construction project; and

BE IT FURTHER RESOLVED: that the Tribal Council hereby authorizes and directs that the Chief Building Inspector of the Tribe to review and inspect all construction projects whether new or rehabilitative in accordance with the Tribal Building Code as modeled upon the Florida Building Code except for chickees constructed by the Tribe; and

BE IT FURTHER RESOLVED: that the Chief Building Inspector of the Tribe is hereby authorized and directed to enforce, interpret, and regulate the Tribal Building Code regarding all construction, new or rehabilitative, on all Tribal lands of the Seminole Tribe of Florida. All decisions of the Chief Building Inspector shall be final and binding on all persons; and

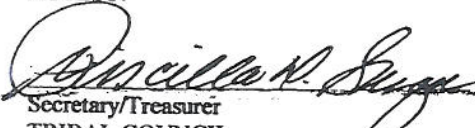
BE IT FURTHER RESOLVED: that this Resolution is hereby adopted after motion made by David R. Cypress, seconded by John Wayne Huff Sr., and a roll call vote as follows:

Acting Chairman Max B. Osceola, Jr..... AYE  
Vice-Chairman Mitchell Cypress..... AYE  
Council Representative David R. Cypress..... AYE  
Council Representative John W. Huff, Sr..... AYE

DONE THIS THE 16<sup>th</sup> DAY OF September, 2002, at the regular meeting of the Tribal Council, duly convened at Hollywood, Florida, with a quorum being present, by a vote of 4 for, 0 against, with 0 abstentions.

  
Acting Chairman  
TRIBAL COUNCIL

ATTEST:

  
Secretary/Treasurer  
TRIBAL COUNCIL