

## WHITE EARTH BAND OF OJIBWE

### TITLE 20: BUSINESS LICENSE CODE

#### Section 1. License Required; Definitions

No person shall conduct business within the exterior boundaries of the White Earth Reservation without first obtaining a business license as provided in this Code. For the purpose of this Code, a "gasoline filling station" is hereby defined to be any place, building, pump or device maintained and used for the main purpose of selling gasoline or other oils for use in motor vehicles of any kind. Further, "WERTC" shall mean the White Earth Reservation Tribal Council.

#### Section 2. Application for License

Application for a business license shall be made, in writing, to the WERTC and shall state the full name and address of the applicant, the location where the business is to be carried on, business days and hours, the owner of the premises, the number and capacity of the gasoline storage tanks to be used (if the application is for the operation of a gasoline station), the number of gasoline pumps and such other information as required by the WERTC.

#### Section 3. Review of Application; Issuance or Denial

Upon receipt of an application for a business license, the WERTC shall give such application due consideration. The WERTC may require the approval of the Chief of Tribal Police of the White Earth Tribal Police Department or the Fire Chief of the White Earth Volunteer Fire Department before the license is issued. The WERTC may grant or refuse to grant the license after consideration of the application. It may also require a background investigation and/or public hearing, and that such hearing be held at such time and upon such notice as the WERTC may determine. After such a hearing, the WERTC may grant or refuse to grant the license.

#### Section 4. License Fees; Expiration

The fee for every such license shall be established by Resolution of the WERTC. Unless renewed, every such license shall expire on December 31 of the year the license was issued.

#### Section 5. Conditions of License; Conduct of Business

- (a) Transferability: Business licenses shall not be transferable from one person to another, and a new license must be applied for each time a place of business is changed.
- (b) License to be Posted: Every business license shall be kept conspicuously posted

about the place for which the license is issued and shall be exhibited to any person upon request.

- (c) Conditions and Restrictions: The WERTC may impose any conditions or restrictions it deems necessary or advisable in the public interest, including but not being limited to conditions relating to the hours of operation, the lighting of the premises and the installation and maintenance of shrubbery, fencing, and grounds around all of the business license holder's facilities. The WERTC may also impose any conditions or restrictions at any time after the issuance of a license hereunder.
- (d) Compliance with Laws: Every gasoline filling station shall be maintained and conducted in compliance with the provisions of this Code and the laws of the State.
- (e) Inspection of Gasoline Station Premises: Every gasoline filling station shall be inspected at least once every year by the Fire Chief to see that the premises are maintained in compliance with State law and this Code and to see that there is no dangerous accumulation of waste of other combustible material on the premises. It shall be the duty of the Fire Chief to report to the WERTC any violations of this Code or statutes or any dangerous conditions or situations which may be discovered during such inspection.
- (f) Gasoline Station Premises Requirements: Premises used as gasoline stations must be kept clean, in good repair and free and clear of any trash, rubbish, debris or junk vehicles as defined under this Code.

#### Section 6. Revocation of License

Every such license may be revoked by the WERTC, after the licensee has been given reasonable notice and an opportunity to be heard, for the violation of any provision of this Code or for the violation of any conditions or restrictions in the license granting the license or any conditions or restrictions imposed after the issuance of the license or upon failure of the licensee to comply with any condition, order, or direction issued by the WERTC.

#### Section 7. Violation of Provisions

Any person who violates any provision of this Code shall be given a fine of \$200.00.

**Section 8. Licensure of Businesses that Distribute Wheel Weights and Balancing Products Containing Lead or Mercury**

- (a) Enrolled members of the White Earth Band with a place of business located within the exterior boundaries of the White Earth Reservation are authorized to apply for a business license for a business to receive and distribute wheel weights and balancing products containing lead or mercury.
- (b) If granted a business license, a White Earth enrollee may receive for distribution wheel weights containing lead or mercury, so long as the destination of the products is a jurisdiction that permits the use or distribution of such wheel weights.
- (c) An enrolled member who is licensed by White Earth may not sell at retail or permit the installation of wheel weights containing lead or mercury for end users on the White Earth Reservation.