Prairie Island Indian Community
Sanitation Ordinance[1]

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[1] Notes of Adoption and Amendment: The Community Council adopted this Ordinance on January 3, 1986, by Resolution Number 1-86. The Community Council amended this Ordinance on December 10, 2025, by Resolution Number 25-12-10-260, to increase usability of this Ordinance and of tribal law, and to add Notes of Amendment summarizing the legislative history of this Ordinance. The Notes of Amendment are for convenience only and should not be relied on as mandatory authority.

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Section 1. Short Title.[2] This Ordinance shall be known and may be cited as the Prairie Island Indian Community Sanitation Ordinance.

Section 2. Statement of Purpose, Findings, and Authority.[3]

a. Purpose. [reserved].

b. Findings. [reserved].

c. Authority. [reserved].

Section 3. Definitions.[4]

a. "At Large" means any dog that is off the owner's premises and not under control of the owner or a member of the owner's immediate family.

b. "Building" means any structure built for the support, shelter, or enclosure of Persons, animals, belongings, or property of any kind including a Dwelling.

c. "Business Establishment" means any Building used for commercial or business activities.

d. "Campgrounds" means any tract of land used by ten or more Persons for temporary living or associated activities.

e. "Celebration or Public Gathering" means any planned activity involving the attendance of thirty or more Persons for a period of four or more hours or where Food Service is provided.

f. "Community" means the Prairie Island Indian Community in the State of Minnesota, a federally recognized Indian Tribe.

g. "Community Council" means the constitutionally authorized governing body of the Community, also referred to as the "Tribal Council."

h. "Community Member" or "Member" means an enrolled member of the Prairie Island Indian Community.

i. "Dog" means any canine animal six months of age or more.

j. "Dwelling" means a Building or portion thereof designed or used as a residence.

k. "Dwelling (Multi-Family)" means a Building used as a residence for two or more families.

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[2] Note of Amendment: The Community Council added this Section on December 10, 2025, by Resolution Number 25-12-10-260.

[3] Note of Amendment: The Community Council added this Section on December 10, 2025, by Resolution Number 25-12-10-260.

[4] Note of Amendment: The Community Council amended this Section on December 10, 2025, by Resolution Number 25-12-10-260, to add definitions for "Community," "Community Member" or "Member," and "Prairie Island Indian Community Reservation" or "Reservation;" to replace "Zoning" with "Tribal Planning Office" as the defined term; and to delete definitions for "Collection Service," "Health Advisor," and "Zoonoses" as those terms are not used in the Ordinance, for consistency with the text of the Ordinance and other Community law.

l. “Dwelling (Single-Family)” means a Building designed or used as a residence for one and only one family.

m. “Dwelling Unit” means one or more rooms in a Building designed for occupancy by one family for the purpose of residing and having not more than one kitchen.

n. “Food Service” means handling, preparing, serving, or otherwise coming in contact with food or drink or public consumption or with utensils used for preparation, storage, service, or consumption of such food or drink.

o. “Food Service Establishment” means any establishment in which food or drink is prepared or provided for the public.

p. “Garbage” means animal and vegetable Putrescible Wastes resulting from the handling, preparation, cooking, and consumption of food including but not limited to: wastes from markets, storage facilities, handling, and sale of produce and other food products.

q. **“**Institutional Facilities” means any Building on the Reservation that is commonly owned and used as a Business Establishment or for community purposes.

r. “Nuisance” or “Public Nuisance” means any conditions that may in any way prejudice health, safety, or the general wellbeing of the public.

s. “Person” means any individual, firm, company, organization, partnership, corporation, associations, or governmental unit.

t. “Prairie Island Health Board” means the Community organization responsible for all health related matters, or a designee.

u. “Prairie Island Indian Community Reservation” or “Reservation” means all lands and waters within the exterior boundaries of the Prairie Island Indian Reservation, notwithstanding the issuance of any patent, easement, or rights-of-way running through the Reservation, ceded lands, and such other lands without such boundaries as may be added by purchase, exchange, transfer, gift, or grant, or that are under the jurisdiction of the Community.

v. “Premises” means any place, land Building, or structure.

w. “Public Health Service Recommended Standards” means official publications of the U.S. Public Health Service pertaining to the procedures or establishment involved. Where applicable Public Health Service publications are not available, the Health Board must designate appropriate national or state standards or guidelines. Copies of standards and guidelines must be on file and available for inspection at the Tribal Office

x. “Putrescible Wastes” means discarded materials of an organic composition that decompose or rot to form foul smelling products.

y. “Rubbish” means all non-Putrescible Wastes, except ashes, including but not limited to cans, paper, glass, wood, and scrap metal.

z. "Sewage Disposal System" means any individual or community installation constructed for the purpose of treatment and disposal of human wastes, including but not limited to: pit privies, septic tanks, drain fields, service lines, sewer mains, interceptor lines, and interior plumbing.

aa. "Solid Waste and Refuse" means all Putrescible and non-Putrescible Waste discarded materials (except body wastes) including but not limited to: garbage, rubbish, ashes, dead animals, abandoned vehicles and machinery, construction, demolition, and industrial wastes.

bb. "Temporary Food Service Establishment" means any Food Service Establishment which operates for a temporary period of time, not to exceed two weeks, in connection with a fair, celebration, exhibition, or similar public gathering, including mobile Food Service Establishments.

cc. "Tribal Planning Office" means the office responsible for all land use zoning within the boundaries of the Reservation, or a designee.

dd. "Water Supply and Distribution System" means any individual or community installation constructed for the purpose of providing potable water to a residence, place of business, or other facility, including but not limited to: distribution mains, service lines, wells, and interior plumbing.

Section 4. Applicability.[5] [reserved].

Section 5. Domestic Water Supplies.

a. Unprotected Sources Prohibited. It is a violation of this Ordinance for any Person to construct, operate, or maintain a domestic water source on the Prairie Island Indian Community Reservation that is not adequately protected against contamination according to Public Health Service Recommended Standards.

b. Permit For Construction Required.[6]

1. It is a violation of this Ordinance for any Person to construct, alter, or extend a Water Supply and Distribution System on the Prairie Island Indian Community Reservation unless they hold a valid permit issued by the Community Council for the specific construction. Applications for permits must be in writing, signed by the applicant, and include the following:

A. Name, address, and phone number of the applicant;

B. Location of the proposed construction; and

C. Plans and specifications for the proposed facility.

[5] Note of Amendment: The Community Council added this Section on December 10, 2025, by Resolution Number 25-12-10-260.

[6] Note of Amendment: The Community Council amended this subsection on December 10, 2025, by Resolution Number 25-12-10-260, for consistency with current practice and to correct references to other Community law.

2. The Community Council will refuse to grant a permit for construction of an individual water system where adequate community water system distribution lines are within 500 feet of the premise to be served. Applications must be reviewed by the Community Council and written recommendation must be made before construction is approved. All Water Supply and Distribution System construction must be inspected and approved by the Community Utilities Department before being placed in service.

3. All construction is also subject to the provisions of the Prairie Island Indian Reservation Building Code Ordinance. Clearance through the Tribal Planning Office will be required.

c. Hazardous Installations. No Person can install or maintain fixtures, equipment, or devices that provide a cross-connection or allow backflow into a community or individual water supply. Public Health Service Recommended Standards must be followed.

Section 6. Sewage Disposal Facilities.

a. Unapproved Sewage Disposal Systems. It is a violation of this Ordinance for any Person to construct, operate, or maintain a sewage disposal system on the Prairie Island Reservation which fails to meet Public Health Service recommended standards.

b. Permission For Construction Required.[7] No Person can construct, alter, extend, or connect to an individual septic tank, lagoon, cesspool system, or community sewage system unless they have written permission for the specific construction from the Community Council or the Community Utilities Department. All construction is subject to the provisions of the Prairie Island Indian Community Building Code Ordinance.

c. Disposal of Privy and Septic Tank Contents. Materials from any individual Sewage Disposal System must be collected, transported, and disposed of in a manner approved by the Community Utilities Department. Permits for septic tank pumper operators are required from the Community Utilities Department and must be renewed on an annual basis.

Section 7. Solid Waste Management.

a. Storage.[8]

1. All Solid Waste and Refuse must be stored so that it does not attract rats, flies, mosquitoes, or other disease-carrying vectors and does not constitute a safety hazard or Public Nuisance.

[7] Note of Amendment: The Community Council amended this subsection on December 10, 2025, by Resolution Number 25-12-10-260, for consistency with other Community law.

[8] Note of Amendment: The Community Council amended this subsection on December 10, 2025, by Resolution Number 25-12-10-260, for consistency with other Community law.

2. Each residence is responsible for disposing of their Solid Waste and Refuse materials in the community containers that are provided outside of the Community Center.

3. Certain types of rubbish may be temporarily stored in a manner other than containerization. Such waste includes bundled brush, bundled or tied newspapers, packing cases, and other similar materials that may be handled by the collection vehicle. These materials cannot be placed out for collection prior to 24 hours of the scheduled pick-up.

4. Junk automobiles, appliances, and similar materials are not allowed to accumulate on the premises creating accident and health hazards. The owners are responsible for the disposal of this type of Solid Waste Refuse material in a manner acceptable to the Community Utilities Department, such as, arranging for a salvage company to remove this type of material from the Reservation.

b. Solid Waste Disposal. Disposal of all Solid Waste and Refuse material must be in accordance with standards adopted by the Prairie Island Health Board. Copies of the standards must be kept available for public use at the Tribal Planning Office.

Section 8. Sanitation at Celebrations and Public Gatherings; Sanitation Facilities Required. The following facilities must be available to the public within 500 feet of the area used by those attending the Celebration or Public Gathering.

a. Safe water supply having ample quantity to meet the requirements of the maximum number of Persons attending the gathering. When water must be transported by the sponsor or others to satisfy this requirement, it must be transported, stored, and dispensed in a sanitary manner approved by the Prairie Island Health Board. The use of common drinking utensils is strictly prohibited.

b. An adequate number of flush toilets, chemical toilets, or privies must be provided and maintained in a clean and sanitary condition. The location and construction of such facilities cannot cause pollution or health hazards.

c. Animal-resistant and fly-tight garbage and refuse containers must be provided in adequate numbers to serve the number of Persons attending the gathering. Such containers must be emptied at least daily and more often if necessary. Contents must be disposed of in accordance with the Solid Waste Management Section of this Ordinance. The sponsor of a Celebration or Public Gathering must leave the grounds in a clean and sanitary condition.

Section 9. Food Sanitation; Temporary Food Services.

a. Any Person who operates a Temporary Food Service Establishment must obtain written permission from the Community Council delegate.

b. Temporary Food Service Establishments must have posted on their premises copies of Public Health Service Recommended Standards for Temporary Food Service Establishments. Recommendations contained therein must be followed.

c. The owners and operators of all Temporary Food Service Establishments must admit the representative of the Prairie Island Health Board and/or Indian Health Service Sanitarian to conduct routine sanitation inspections. Violations of this Ordinance must be immediately reported to the Prairie Island Health Board.

Section 10. Institutional Sanitation. Institutional Facilities on the Prairie Island Indian Community Reservation must be inspected by the Indian Health Service Sanitarian annually or as required by the Prairie Island Health Board to ensure compliance with recognized Institutional Facilities guidelines. Special attention must be paid to food handling procedures. A written report must be submitted to the Prairie Island Health Board subsequent to each inspection.

Section 11. Recreational Sanitation.

a. Youth camps, Campgrounds, and picnic areas must be on a well-drained area free of heavy undergrowth.

b. Youth camps, Campgrounds, and picnic areas must be provided with an adequate supply of safe drinking water. Water stations must be properly drained to prevent standing water and must be convenient to the camping or picnic sites. Where water under pressure is available, self-closing faucets must be used. When water is unavailable at the site, it must be transported, stored, and dispensed in a sanitary manner approved by the Prairie Island Health Board, and must comply with the Public Health Service Recommended Standards.

c. Clean, safe, and adequate toilet facilities must be provided convenient to all Campgrounds. Frequent maintenance must be provided to avoid objectionable odors and Nuisances.

d. An adequate number of Refuse containers must be provided convenient to each campsite and picnic area. Storage and disposal of Refuse must meet the requirements of the Solid Waste Management Section of this Ordinance.

e. Camps providing public or semi-public Food Services must meet the requirements of appropriate sections of this Ordinance regulating Food Service Establishments.

f. The Prairie Island Board of Health must request the Indian Health Service to inspect all recreational sites on an annual basis or as the need arises and provide a written report with recommendations according to the Public Health Service Recommended Standards.

Section 12. Mobile Home and Trailer Parks.[9]

a. It is a violation of this Ordinance for any Person to construct, alter, or extend any mobile home park or trailer court within the boundaries of the Prairie Island Indian Community Reservation without written permission issued by the Community Council for the specific construction and facilities. Such construction is also subject to the provisions of the Prairie Island Indian Community Building Code Ordinance.

[9] Note of Amendment: The Community Council amended this Section on December 10, 2025, by Resolution Number 25-12-10-260, for consistency with other Community law.

Applications for permission must be in writing, signed by the applicant, and include the following:

1. Name and address of the applicant;
2. Location and legal description of the proposed trailer park area; and
3. Complete engineering plans and specifications of the proposed park area and facilities.

b. It is a violation of this Ordinance for any Person to construct, alter, or extend any mobile home park or trailer court within the boundaries of the Prairie Island Indian Community Reservation unless it is constructed according to recommended standards that are on file with the Prairie Island Health Board.

c. Engineering plans, specifications, and construction must be approved and inspected by the Prairie Island Health Board and the Community Utilities Department.

Section 13. Maintenance of Livestock and Other Animals; Nuisances.

a. It is a violation of this Ordinance to keep livestock, fowl, or other animals on Community or private property in any manner which creates a Public Nuisance. Any development involving the raising or keeping of livestock must be approved through the Tribal Planning Office. Livestock must not be allowed to roam about in residential area.

b. Dogs must not be allowed to be run At Large in such manner as to be a Public Nuisance.

c. Owners are responsible for the actions of their animals including restoration of damages caused by their animals. Owners of animals in violation of this Ordinance are also subject to its enforcement provisions.

d. Wild animals may not be kept as pets on the Reservation unless they are suitably confined so as to protect the public against diseases, physical danger, and Nuisances.

Section 14. Enforcement.

a. Enforcement. The enforcement of this Ordinance and any amendment or order pursuant to this Ordinance is the responsibility of the Community Council or their delegated representatives.

b. Permitted Access. The Prairie Island Health Board must be permitted to all premises at all reasonable times for the purpose of determining compliance with this Ordinance.

c. Rights and Liabilities. Any Person may request a hearing before the Community Council to determine rights, duties, and liability under this Ordinance.

Section 15. Records.[10] [reserved].

[10] Note of Amendment: The Community Council added this Section on December 10, 2025, by Resolution Number 25-12-10-260.

Section 16. Miscellaneous Provisions.[11]

a. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of this Ordinance, or the application of the provision to other Persons or circumstances is not affected.

b. [reserved].

[11] Note of Amendment: The Community Council added this Section heading on December 10, 2025, by Resolution Number 25-12-10-260, and moved the text of this Section from Section 14 (Enforcement).