

Subpart A Title, Purpose and Definitions

A-1 Title & Citation

(a) Title. These various Subparts and Sections contained herein are organized into a comprehensive set of laws and shall be known as the “Pueblo of Pojoaque Law and Order Code.”

(b) Organization. The Pueblo of Pojoaque Law and Order Code shall be organized in groups of resolutions, codes, acts or ordinances and/or governing documents with similar subject matter. Each subject matter grouping shall be designated as a Subpart and identified by an alphanumeric designation and caption (e.g., Subpart A Title, Purpose and Definitions). Each resolution, code, act or ordinance shall be given a Section number (e.g., “A-1 Title & Citation”).

(c) Citation. Citation to this Code shall be by letters “PPLOC” followed by the appropriate Subpart, Section and Subsection in parenthesis (e.g., “PPLOC Subpart A” or “PPLOC A-1(c)”). Whenever a reference is made to the Pueblo of Pojoaque Law and Order Code, or to any governing document of the Pueblo codified herein, the reference shall apply to all amendments now and hereinafter made.

A-2 Purpose

(a) It is the purpose of this Law and Order Code to strengthen Tribal self-government, provide for the judicial needs of the Pueblo, and ensure maintenance of the law and order within the exterior boundaries of the Pueblo of Pojoaque.

(b) This Code shall supersede all governing documents inconsistent herewith and applicable prior to the approval of this Code.

(c) All Law and Order Code revisions or amendments made since 1983 require or have required Tribal Council approval. After such approval, these revisions or amendments shall become part of the Law and Order Code. No revisions or amendments shall require further approvals.

(d) The laws in the Code shall be enforced by the Pueblo of Pojoaque.

A-3 Definitions

In this Code, unless the context otherwise requires:

(a) “Adult” shall mean a person who is eighteen (18) years of age or older.

(b) “Code” and “Law and Order Code” shall mean the Pueblo of Pojoaque Law and Order Code.

(c) “Governor” shall mean the Governor of the Pueblo of Pojoaque.

(d) “Indian” shall mean any person who is a member of any Indian tribe recognized by Federal or state jurisdiction, or who is an Alaska Native and member of a Regional Corporation as defined in 1606 of title 43, United States Code.

(e) “Indian child” means any unmarried person who is under age eighteen and is either (a) a member of an Indian tribe or (b) is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe.

(f) “Juvenile Court” shall mean the judge(s) of the Tribal Court specifically convened to preside over proceedings involving a juvenile person.

(g) “Non-Indian” shall mean a person who is not an Indian.

(h) “Person” shall mean a natural person, a corporation or unincorporated Indian association, except as defined under Subpart M.

(i) “Property” shall mean both real and personal property.

(j) “Pueblo” shall mean the Pueblo of Pojoaque.

(k) “Pueblo Courts” shall mean the Tribal Court and Court of Appeals for the Pueblo of Pojoaque.

(l) “Tribal Council” or “Council” shall mean the regular Tribal Council of the Pueblo of Pojoaque which is responsible for passing resolutions, setting policy and making decisions between meetings of the General Council, unless otherwise specifically stated otherwise.

(m) “Tribal Court” shall mean the trial court for the Pueblo of Pojoaque, composed according to Subpart D.

(n) “Tribal Member”, “Enrolled Member” or “Member” shall mean an enrolled member of the Pueblo of Pojoaque, unless otherwise specifically indicated.

(o) “Tribal Official” shall mean a duly elected leader of the Pueblo holding office at the time of the occurrence.

(p) “Tribal Police” shall mean the Pueblo of Pojoaque Tribal Police Department.

A-4 Pueblo of Pojoaque Legal Name

(a) The legal name of the Pueblo is “Pueblo of Pojoaque” not “Pojoaque Pueblo.”

(b) All Pueblo of Pojoaque entities and enterprises shall use only the legal name of the Pueblo in all circumstances and the name Pojoaque Pueblo shall be changed to Pueblo of Pojoaque on all signs and stationery as soon as possible.