

ONEIDA INDIAN NATION
HUNTING AND FISHING ORDINANCE

Ordinance No.: O-15-03

The Oneida Indian Nation (the "Nation") adopts and enacts this Ordinance for the purpose of ensuring, facilitating and encouraging safe and responsible hunting practices on Nation lands within the Oneida Reservation.

Article I-Definitions

1. For purposes of this Ordinance:

"Hunting Lands" means Nation lands that are identified, designated or zoned for hunting activities.

"Nation lands" means lands possessed by the Nation within the Oneida Reservation.

"Special Hunting Preserve Lands" under this Ordinance shall mean Nation lands that have special characteristics that merit flexibility in encouraging any hunting activity than otherwise may occur on Nation lands that lack those characteristics, and, at the very least, shall meet the following minimum requirements:

- a. lands must be fully enclosed by fencing that is at least six (6) feet high;
- b. lands must not have any residences or commercial structures unless the structure serves the specific and exclusive purpose of supporting a hunting preserve; and
- c. lands must be overseen by a superintendent appointed by the Nation Representative(s) with sufficient qualifications to promote safe hunting practices within the Special Hunting Preserve Lands.

Article II – General Provision

1. This Ordinance and any rules and regulations promulgated under this Ordinance shall regulate all hunting and fishing activity on Nation lands, and shall be the sole and exclusive means of regulating hunting and fishing activities on Nation lands. All persons engaged in hunting and fishing activities on Nation land are subject to this Ordinance and any rules and regulations promulgated pursuant to Article II section 3 of this Ordinance.

2. The Nation shall create and maintain a map or maps clearly depicting Nation lands that have been specifically identified, designated or zoned as Hunting Lands for hunting activities authorized by the Nation's rules and regulation.

3. The Nation Representative(s), or a designee of the Nation Representative(s), shall interpret and implement this Ordinance and shall promulgate rules and regulations to fulfill the Nation's interest in promoting and encouraging safe and responsible hunting practices on Nation lands.

Article III – Special Hunting Preserves

1. Notwithstanding any other Nation Ordinance or regulation, this Article and any rules promulgated pursuant to this Article shall regulate all hunting activity on lands specifically and specially designated by the Nation as “Special Hunting Preserve Lands.”
2. With respect to those lands specially and specifically designated as Special Hunting Preserve Lands, the Nation shall establish and adopt separate Special Hunting Preserve Lands Rules, which shall separately and independently regulate all hunting activity on such Special Hunting Preserve Lands. The Nation shall maintain a map or maps clearly depicting Nation lands that have been specially and specifically identified or zoned as Special Hunting Preserve Lands.

Article IV – Enforcement

1. The Nation Representative(s) shall appoint any and all officer(s) or official(s) deemed necessary to administer and enforce this Ordinance and any rules and regulations promulgated under this Ordinance.
2. In addition to any criminal penalty, any person who violates any provision of any rules and regulations promulgated under Article II or Article III of this Ordinance shall be subject to a civil fine for each such offense, and shall be required to pay a fine of not less than \$50, but no more than \$1,000 for each such offense.


Article V - Interpretation

1. The Nation does not, by enacting this Ordinance, waive in any respect its sovereign immunity, or that of its agents or officers, in any manner, under any law, for any purpose, or in any place.
2. This Ordinance is not subject to review or modification in any state or federal court or by an authority outside the Nation and is not subject to review or modification in any Nation court. Nothing in this Ordinance shall constitute, or be construed as, the Nation’s consent to the extension of jurisdiction by the State of New York or by any municipality over matters coming within the purview of this Ordinance.
3. This Ordinance does not create any right, cause of action or benefit enforceable at law or in equity by any person against the Nation, its agents, its officers or employees, or any other person.

Article VI – Effective Date

This Ordinance is effective upon enactment.

Enacted this 4th day of March, 2015.


Ray Halbitter
Nation Representative(s)