

LAND CODE  
ARTICLE 3  
RELIGIOUS USE PERMIT

|   |   |
|---|---|
| CHAPTER 1. GENERAL PROVISIONS . . . . .                   | 1 |
| Section 3-101. Definitions. . . . .                       | 1 |
| CHAPTER 2. RELIGIOUS STRUCTURES ON TRIBAL LANDS . . . . . | 1 |
| Section 3-201. Permit Required. . . . .                   | 1 |
| Section 3-202. Use of Assigned Lands. . . . .             | 1 |
| Section 3-203. Petition For Permit. . . . .               | 1 |
| Section 3-204. Limitations; Conditions. . . . .           | 1 |
| CHAPTER 3. REVOCATION OF USE PERMIT . . . . .             | 2 |
| Section 3-301. Revocation. . . . .                        | 2 |
| Section 3-302. Petition; Investigation. . . . .           | 2 |
| Section 3-303. Notice of Hearing. . . . .                 | 2 |
| Section 3-304. Hearing. . . . .                           | 2 |
| Section 3-305. Notice of Revocation. . . . .              | 3 |
| Section 3-306. Ninety Day Removal Period. . . . .         | 3 |

LAND CODE  
ARTICLE 3  
RELIGIOUS USE PERMIT

[NOTE: Except as otherwise noted, the provisions of Article 3 of the Land Code were enacted on November 10, 1983 by Ordinance No. 83-9.]

CHAPTER 1. GENERAL PROVISIONS

Section 3-101. Definitions.

"Religious structure" means any church, chapel, mission, edifice, building or construction, whether permanent or temporary, which is designed or regularly used for the practice of religion.

CHAPTER 2. RELIGIOUS STRUCTURES ON TRIBAL LANDS

Section 3-201. Permit Required.

(A) No person may place, erect or maintain any religious structure upon lands owned by the Colorado River Indian Tribes without first having obtained a valid religious use permit therefore in accordance with this Article.

(B) As used herein, the term "lands owned by the Colorado River Indian Tribes" shall include, but not be limited to, all lands assigned, permitted or leased by the Tribes to any person or persons.

[As Amended June 9, 1984, Ord. No. 84-7.]

Section 3-202. Use of Assigned Lands.

Knowingly using or permitting the use of a standard or exchange assignment for the placement or erection of a religious structure in violation of the terms of this Article shall be grounds for revocation of any portion of assignment so used.

Section 3-203. Petition For Permit.

A religious use permit may be issued in the discretion of the Tribal Council upon receipt of a petition signed by at least twenty-five (25) members of the Colorado River Indian Tribes over the age of 18.

Section 3-204. Limitations; Conditions.

(A) No religious use permit shall be issued for an area in excess of that which will reasonably accommodate the religious structure proposed along with necessary appurtenances and any approved community facilities.

CODE

(B) A religious use permit shall be subject to such fees and conditions and shall be of such duration as the Tribal Council shall prescribe.

(C) A religious use permit shall not be assignable or otherwise transferable. Any attempted assignment or transfer shall be null and void and of no effect whatsoever.

### CHAPTER 3. REVOCATION OF USE PERMIT

#### Section 3-301. Revocation.

A religious use permit may be revoked by the Tribal Council whenever, upon petition and after a hearing, it shall determine that such revocation is in the best interests of the Colorado River Indian Tribes.

#### Section 3-302. Petition; Investigation.

(A) Revocation proceedings may be initiated by the submission to the Tribal Council of a petition signed by at least twenty-five (25) members of the Colorado River Indian Tribes over the age of 18. Such petition shall contain a request that the religious use permit be revoked and the reasons therefor, including complaints, if any, regarding activities occurring on the lands subject to the existing permit and the effect of such activities on the persons and property of the Colorado River Indian Reservation community.

(B) Upon receipt of such a petition, the Tribal Council shall investigate the complaints set forth. If the Council determines that the complaints are sufficient to warrant a hearing, it shall schedule a revocation hearing.

#### Section 3-303. Notice of Hearing.

(A) Notice of a revocation hearing shall be given to the permittee either personally or by certified mail, return receipt requested, at least twenty (20) days prior to the hearing date set. Notice shall be deemed effective upon receipt, or five (5) days after deposit in the United States mail, whichever shall first occur.

(B) Notice of a revocation hearing shall be posted for at least twenty (20) days prior to the hearing date set in a conspicuous place at the religious structure affected.

#### Section 3-304. Hearing.

(A) Any person with an interest in the subject of the revocation hearing may present evidence and argument at the hearing. Such persons may appear represented by counsel at their own expense.

**RELIGIOUS USE PERMIT**

(B) Based upon its findings during the revocation hearing, the Tribal Council may revoke a religious use permit if it determines that such revocation is in the best interest of the Colorado River Indian Tribes.

**Section 3-305. Notice of Revocation.**

Notice of revocation shall be in writing and shall be served upon the permittee either personally or by certified mail, return receipt requested. Service of notice by mail shall be deemed effective five (5) days after deposit in the United States mail.

**Section 3-306. Ninety Day Removal Period.**

(A) Upon receipt of notice of revocation, a permittee shall have a period not in excess of ninety (90) days to vacate and remove personal property from the permitted premises.

(B) Any personal property remaining on the premises at the expiration of the ninety (90) day removal period shall be deemed the property of the Colorado River Indian Tribes.

\*\*\*