

Chapter 07—Revocation of Licenses

07.010—Revocation of licenses. The Executive Committee shall revoke a license upon any of the following grounds.

A. The misrepresentation of a material fact by an applicant in obtaining a license or a renewal thereof.

B. The violation of any condition imposed by the Executive Committee on the issuance, transfer or renewal of a license.

C. A plea, verdict, or judgment of guilty, or the plea of nolo contendere to any public offense involving moral turpitude under any federal or state law prohibiting or regulating the sale, use, possession, or giving away of alcoholic beverages or intoxicating liquors.

D. The violation of any tribal ordinance.

E. The failure to take reasonable steps to correct objectionable conditions constituting a nuisance on the licensed premises or any immediately adjacent area leased, assigned or rented by the licensee within a reasonable time after receipt of a notice to make such corrections has been received from the Executive Committee or its authorized representative.

07.020—Accusations. The Executive Committee, on its own motion through the adoption of an appropriate resolution meeting the requirements of this section, or any person may initiate revocation proceedings by filing an accusation with the Secretary of the Executive Committee. The accusation shall be in writing and signed by the maker, and shall state facts showing that there are specific grounds under this ordinance which would authorize the Executive Committee to revoke the license or licenses of the licensee against whom the accusation is made. Upon receipt of an accusation, the Secretary of the Executive Committee shall cause the matter to be set for a hearing before the Executive Committee. Thirty (30) days prior to the date set for the hearing, the Secretary shall mail a copy of the accusation along with a notice of the day and time of the hearing before the Executive Committee. The notice shall command the licensee to appear and show cause why the licensee's license should not be revoked. The notice shall state that the licensee has the right to file a written response to the accusation, verified under oath and signed by the licensee ten (10) days prior to the hearing date.

07.030—Hearing. Any hearing held on any accusation shall be held before a majority of the Executive Committee under such rules of procedure as it may adopt. Both the licensee and the person filing the accusation, including the Tribe, shall have the right to present

witnesses to testify and to present written documents in support of their positions to the Executive Committee. The Executive Committee shall render its decision within sixty (60) days after the date of the hearing. The decision of the Executive Committee shall be final and non-appealable.

Chapter 08—Enforcement

08.010—Right to inspect. Any premises within the area under the jurisdiction of this Ordinance on which liquor is sold or distributed shall be open for inspection by representatives of the Executive Committee at all reasonable times during business hours for the purposes of ascertaining whether the rules and regulations of this Ordinance are being complied with.

08.020—General penalties. Any person adjudged to be in violation of this ordinance shall be subject to a civil penalty of not more than Five Hundred Dollars (\$500.00) for each such violation. The Executive Committee may adopt by resolution a separate schedule of fines for each type of violation, taking into account its seriousness and the threat it may pose to the general health and welfare of tribal members. Such schedule may also provide, in the case of repeated violations, for imposition of monetary penalties greater than the Five Hundred Dollars (\$500.00) limitation set forth above. The penalties provided for herein shall be in addition to any criminal penalties which may hereafter be imposed in conformity with federal law by separate Chapter or provision of this Ordinance or by a separate ordinance of the Cedarville Rancheria Tribal Code.

08.020—Initiation of action. Any violation of this ordinance shall constitute a public nuisance. The Executive Committee may initiate and maintain an action in tribal court, or, if the tribal court does not have jurisdiction over the action, the United States District Court for the Eastern District of California shall have jurisdiction to abate and permanently enjoin any nuisance declared under this ordinance. Any action taken under this section shall be in addition to any other penalties provided for this ordinance.

Section 08—Severability. If any part or provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and affect. To this

end the provisions of this ordinance are severable.

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DEPARTMENT OF THE INTERIOR**National Indian Gaming Commission****Fee Rate***Correction*

In notice document 2013–05334, appearing on page 14821 in the issue of Thursday, March 7, 2013, make the following correction:

On page 14821, in the second column, in the eighth line from the bottom of the page, “Dated: March 4, 3013.” should read “Dated: March 4, 2013.”.

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DEPARTMENT OF THE INTERIOR**Bureau of Reclamation****Notice of Public Scoping Meetings for the Pojoaque Basin Regional Water System Environmental Impact Statement, New Mexico**

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of public scoping meetings.

SUMMARY: Pursuant to the National Environmental Policy Act of 1969, as amended, the Bureau of Reclamation is preparing an environmental impact statement for the Pojoaque Basin Regional Water System. As part of that process, Reclamation will host five public scoping meetings to provide information on the project and to solicit input on the scope of the document, alternatives, concerns, and issues to be addressed in the environmental impact statement.

DATES: Public scoping meetings will be held from 6:00 p.m. to 8:00 p.m. on the following dates:

- Monday, April 1, 2013, in Tesuque, New Mexico.
- Tuesday, April 2, 2013, in Pojoaque, New Mexico.
- Wednesday, April 3, 2013, in Santa Fe, New Mexico.
- Thursday, April 4, 2013, in Española, New Mexico.
- Tuesday, April 9, 2013, in Taos, New Mexico.

The scoping period will be open from March 13, 2013 to May 3, 2013.

ADDRESSES: Public scoping meetings will be held at the following locations:

- Tesuque—Tesuque Valley Elementary School Cafeteria, 1555