Chapter 1. SALE, TRANSFER, DISPOSITION OF TRIBAL LANDS

Section
1–101. Alienation or encumbrance of Tribal lands.
1–102. Violations.
1–103. Nullity of alienation or encumbrance.
1–104. Property transfers by Executive Office of Principal Chief.

§ 1–101. Alienation or encumbrance of Tribal lands

No Tribal lands of the Muscogee (Creek) Nation of Indians in Oklahoma, whether held in trust by the United States, owned in fee simple by the Muscogee (Creek) Nation, or arising as any other property right (e.g., reversionary interest or escheat), may be sold, transferred, disposed of or encumbered in any way unless the following procedures are fully complied with:

A. Public hearing, advertised twice in the thirty (30) days prior to its being held in at least one newspaper of general circulation in each legislative district of the Muscogee (Creek) Nation, shall be called by law, and convened by the Principal Chief.

B. A law shall be required to approve the action discussed in the public hearing.

C. A public law of the United States shall be required to assure the Muscogee (Creek) Nation that the entity to which the property would be sold, transferred, disposed, or encumbered has legal authority to enter into said transaction with the Muscogee (Creek) Nation.

[NCA 82–19, § 101, approved March 3, 1982.]
Title 28, § 1–101

LANDS AND MINERALS

C.J.S. Indians §§ 37 to 38, 101 to 108, 110 to 111, 128.

§ 1–102. Violations

A. Violation of Title 28, § 1–101 shall, upon conviction of the individual or group involved, be deemed a felony under Tribal law.

B. Persons convicted under subsection A of this section may be fined not less than $500.

[NCA 82–19, §§ 102, 103, approved March 3, 1982.]

§ 1–103. Nullity of alienation or encumbrance

Any action taken contrary to Title 28, § 1–101 shall be null and void under Tribal law, and said action shall be nullity for all purposes except Title 28, § 1–102.

[NCA 82–19, § 104, approved March 3, 1982.]

Library References

Indians ⊕173.  
Westlaw Topic No. 209.

C.J.S. Indians §§ 37 to 38, 101 to 108, 110 to 111, 128.

§ 1–104. Property transfers by Executive Office of Principal Chief

The Executive Office is prohibited from selling, conveying, exchanging, transferring or otherwise disposing of real property or any interest therein, without the advice, consent and approval of the Muscogee (Creek) National Council.


Library References

Indians ⊕173.  
Westlaw Topic No. 209.

C.J.S. Indians §§ 37 to 38, 101 to 108, 110 to 111, 128.
CHAPTER 2. CONDEMNATION OF TRIBAL LANDS

Section
2–102. Authorization to seek flood easement.
2–103. Applications for flood easement.
2–104. Response to applications.
2–105. Prohibited defense; damages.
2–106. Title to Tribal lands.
2–108. Parties other than Muscogee (Creek) Nation.
2–110. Agreements and covenants.

§ 2–101. Waiver of sovereign immunity

The sovereign immunity of the Muscogee (Creek) Nation from suit is hereby waived for the purpose of permitting suit by the Director, Division of Tribal Affairs, Muscogee (Creek) Nation, against Tribal lands for the purpose of condemning a flood easement against the lands.

[NCA 82–20, § 101, approved April 5, 1982.]

Library References

Indians 405.
Westlaw Topic No. 209.
C.J.S. Indians §§ 151 to 179.

§ 2–102. Authorization to seek flood easement

A. In order to enable and empower the Director of the Division of Tribal Affairs to carry out the authority conferred in this chapter, in the most economical and efficient manner, he is authorized and empowered in the exercise of the powers of management of Tribal lands to exercise the right of seeking a flood easement against any Tribal lands of the Muscogee (Creek) Nation which are subject to flood or inundation, whether by natural or man-made impoundment or cause.

B. The Director of the Division of Tribal Affairs is authorized to apply in any Court of the Muscogee (Creek) Nation having jurisdiction, to condemn Tribal lands which are subject to flooding or inundation, whether by natural or man-made impoundment or cause, and to request the approval of the Court to order the filing of an easement against said Tribal lands to govern future use and management of said Tribal lands.

[NCA 82–20, §§ 102, 103, approved April 5, 1982.]

Library References

Eminent Domain 17.
Indians 187.
Westlaw Topic Nos. 148, 209.

C.J.S. Eminent Domain § 48.
C.J.S. Indians §§ 36 to 38, 80 to 83, 85 to 92, 101 to 108, 110 to 111, 128.
§ 2–103. Applications for flood easement

Applications for flood easement shall contain the following information:

A. A legal description of the Tribal lands.

B. A statement of the elevation (in feet above sea level) below which the easement is to be effective.

C. A map or plan showing the relationship between the entire parcel of Tribal lands and the lands to be place under easement.

D. A statement of the estate or interest in said lands to be placed under easement if any estate or interest other than the Muscogee (Creek) Nation is involved.

E. A statement of the sum of money estimated by the Director of the Division of Tribal Affairs to be just compensation for the easement against any estate or interest other than the Muscogee (Creek) Nation.

[NCA 82–20, § 104, approved April 5, 1982.]

§ 2–104. Response to applications

The legal counsel of the Muscogee (Creek) Nation is authorized to respond to applications brought under subsection B of Title 28, § 2–102, and to inform the Court of any compelling reason that the easement should not be allowed.

[NCA 82–20, § 105, approved April 5, 1982.]

§ 2–105. Prohibited defense; damages

Legal counsel, in proceedings under this chapter, is prohibited from raising the defense of the sovereign immunity of the Muscogee (Creek) Nation, or from requesting damages against the Muscogee (Creek) Nation for the flood easement.

[NCA 82–20, § 106, approved April 5, 1982.]

§ 2–106. Title to Tribal lands

Proceedings under this chapter shall not affect title to Tribal lands, whether held in trust by the United States or held in fee simple by the Nation. The effect of a flood easement shall be limited to purposes related to the management, use, and prevention of alienation of Tribal property.

[NCA 82–20, § 107, approved April 5, 1982.]

Library References

Indians §§ 151 to 179.
Westlaw Topic No. 209.
§ 2–107. Filing

Application for flood easement shall, upon approval by a Court of the Muscogee (Creek) Nation, be filed with:

A. The Office of the Director of Tribal Affairs.
C. The County Clerk of the county of the State of Oklahoma within which the property is located.

[NCA 82–20, § 108, approved April 5, 1982.]

§ 2–108. Parties other than Muscogee (Creek) Nation

Application for flood easement which would affect the estate or interest of any party other than the Muscogee (Creek) Nation, unless acquired separately under Tribal law or condemned under a Tribal law providing for eminent domain, shall impose the same limitations and restrictions upon the estate or interest of the other parties as would bear upon the Muscogee (Creek) Nation under the terms of this chapter. Such other parties shall be served no fewer than fifteen (15) days prior to the first hearing of Tribal Court on the application and may:

A. Request that the Director of the Division of Tribal Affairs post a bond with the Tribal Court equal to his estimate, or the Court’s determination, of the compensation for the interest or estate condemned.
B. Request that the Tribal Court, in a hearing, examine the Director of the Division of Tribal Affairs’s estimate of the just compensation for the interest or estate condemned, and that the Court determine independently the just compensation for the interest or estate condemned.
C. Request that the Tribal Court review, not less than every sixth (6th) month, the relations between the Muscogee (Creek) Nation and the interest or estate condemned on the subject of flood easement property management, until such time as the court, or the interest or estate condemned, is satisfied that such relations conform to the purpose and intent of this law.
D. Request such injunctive, prohibitory, equitable, or mandatory relief as is necessary to protect the interest or estate condemned.

[NCA 82–20, § 109, approved April 5, 1982.]

§ 2–109. Rules and regulations

The Director of the Division of Tribal Affairs is authorized to issue rules and regulations for the management of all property subject to flood easement, including but not limited to the following:
A. Run-off retardation.
B. Water-flow retardation.
C. Soil-erosion prevention.
D. Protection of environment, migratory and predatory fowl, and endangered animal and plant species.
E. Erection of permanent and temporary facilities.
F. Erection of facilities on or in flooded or impounded waters.
G. Flood easement area property management.

[NCA 82–20, § 110, approved April 5, 1982.]

§ 2–110. Agreements and covenants

Agreements and covenants as to the permanent use of all property subject to flood easement are authorized to be negotiated by the Principal Chief, the Director of Tribal Affairs, and legal counsel, provided that such agreements and covenants shall be of no force nor effect until their ratification by a Tribal Resolution of the Muscogee (Creek) Nation.

[NCA 82–20, § 111, approved April 5, 1982.]
CHAPTER 3. LEASES

Section
3–102. Law enforcement authority and regulatory powers.

§ 3–101. Agricultural leases

The Principal Chief is hereby authorized to enter into agricultural leases for the purpose of generating revenue for land management and development of lands within the Hanna and Wetumka projects located in McIntosh and Hughes counties. All agricultural leases must meet or exceed approved fair market value appraisals. Any agricultural lease shall not exceed three (3) years without the consent and approval of the Muscogee (Creek) National Council.

[NCA 96–03, § 106, added by NCA 98–34, § 104, approved March 31, 1998.]

Cross References
Authorization of expenditures and sales, farm operations, see Title 1, § 1–101.

Library References

Indians ☞178, 216.
Westlaw Topic No. 209.
C.J.S. Indians § 59.

§ 3–102. Law enforcement authority and regulatory powers

A. The Muscogee (Creek) Nation, as lessor, retains full jurisdiction over all Tribal lands and property leased to any lessee regardless of whether the lessee is a person or legal organization, Indian or non-Indian.

B. No lease of Tribal land, regardless of whether it was executed before or after the effective date of this section, shall divest or in any way limit the law enforcement authority of the Lighthorse Police to maintain the peace, law and order and to enforce the criminal laws of the Muscogee (Creek) Nation.

C. All leases of Tribal land shall be subject to the Nation’s authority to allow and/or regulate the activities of hunting, fishing and gathering of native and/or medicinal plants by its citizens and other members of federally recognized Tribes, in a manner that such activities do not prevent the lessee from exercising his or her rights under the lease or deplete the land of its natural resources.


Library References

Indians ☞180.
Westlaw Topic No. 209.
CHAPTER 4. PERMISSION FOR USE OF TRIBAL LANDS

Subchapter
1. Festival Committee
2. Miscellaneous

Cross References
Chartered Community use of tribal lands and buildings, see Title 11, § 4–101 et seq.

SUBCHAPTER 1. FESTIVAL COMMITTEE

Section
4–101. Authority to grant omniplex land use permits.
4–102. Vendors at the omniplex site.
4–103. Advertising; Indian preference.
4–104. Permit form.
4–105. Rental rates and concession fees.

Cross References
Creek Nation Festival Account, see Title 37, § 2–212.
Purchasing, Creek Nation Festival, see Title 15, § 3–101.

§ 4–101. Authority to grant omniplex land use permits

A. The Muscogee (Creek) Nation Festival Committee is hereby authorized to grant land use permits, up to a ninety day (90) day period for a piece of Tribal property known as the “omniplex”.

B. Any land use permits over the ninety day (90) day period must receive the approval of the Muscogee (Creek) National Council, by Tribal Resolution.

[NCA 89–52, §§ 102, 103, approved April 26, 1989.]

Library References
Indians ☑178.
Westlaw Topic No. 209.

§ 4–102. Vendors at the omniplex site

All contracts with vendors wishing to do business at the omniplex site shall be submitted and approved by the Festival Committee.

[NCA 89–52, § 105, approved April 26, 1989.]

Library References
Indians ☑142(1), 180, 227.
Westlaw Topic No. 209.
C.J.S. Indians §§ 11, 37 to 38, 76.
§ 4–103. Advertising; Indian preference

The Festival Committee shall advertise the availability of land use permits in the *Muscogee Nation News* and shall give Indian preference in granting land use permits.

[NCA 89–52, § 107, approved April 26, 1989.]

**Library References**

Indians §§176, 227.
Westlaw Topic No. 209.

§ 4–104. Permit form

The Festival Committee shall devise a land use permit form that shall be signed and approved as to form by the Creek Nation Tribal Attorney.

[NCA 89–52, § 108, approved April 26, 1989.]

**Library References**

Indians §§176, 227.
Westlaw Topic No. 209.

§ 4–105. Rental rates and concession fees

Rental rates and concession fees for land use permits shall be established by the Festival Committee.

[NCA 89–52, § 109, approved April 26, 1989.]

**Library References**

Indians §§183, 227.
Westlaw Topic No. 209.
C.J.S. Indians § 76.

**SUBCHAPTER 2. MISCELLANEOUS**

Section
4–201. Rodeo and festival lease exemption.

§ 4–201. Rodeo and festival lease exemption

The Creek Nation Rodeo and Festival Committees shall not be required to lease Tribal lands for the purpose of the annual rodeo and festival for Tribal members.

[NCA 86–31, § 101, veto overridden July 26, 1986; amended by NCA 09–228, eff. Dec. 28, 2009.]
CHAPTER 5. PHYSICAL PLANT MAINTENANCE
AND CAPITAL IMPROVEMENT POLICY

Section
5–102. Repealer.

§ 5–101. Policy
Muscogee (Creek) Nation adopts the following policy statements for the physical facilities owned and operated by the Tribe.

A. Muscogee (Creek) Nation will make every effort possible to maintain the physical facilities owned by the Tribe in an operational and safe condition conducive to a quality work environment and client service delivery system.

B. Muscogee (Creek) Nation shall develop a preventive maintenance program to protect the Tribal capital investment and physical facilities.

C. Muscogee (Creek) Nation shall evaluate on an annual basis the energy usage of the physical facilities owned and operated by the Tribe and develop energy conservation techniques and processes to conserve energy.

D. Muscogee (Creek) Nation shall be conscious of the American Disabilities Act and design physical facilities in a manner that meets social responsibilities to be sensitive to employees and clients who have disabilities.

E. The Unit Manager responsible for maintenance shall develop on an annual basis, a schedule and work plan for the routine and non-routine maintenance tasks for physical property management. Routine tasks are herein defined as normal operating wears and supply usage. Non-routine tasks are herein defined as those tasks where a physical facility is in need of a major or minor repair. Non-routine tasks shall be identified and prioritized on an annual basis through a physical inventory check up report that will be conducted by the Division of Tribal Affairs.

F. Muscogee (Creek) Nation shall develop and program a landscaping plan for the beautification of Tribal grounds to enhance its appearance, as well as client and employee morale.


Historical and Statutory Notes
NCA 97–81, § 104, provides: “With the Enactment of this Act, the provisions outlined in Section 103. E., shall be retroactive beginning Fiscal Year 1997 and shall exclude NCA 97–35 [relating to the acquisition of land for the child care development center in Holdenville].”

Cross References
Budget, physical plant maintenance and capital improvements program, see Title 37, § 2–106.
Maintenance and capital improvements sinking fund, see Title 37, § 2–207.
Library References

Indians ¶210.
Westlaw Topic No. 209.
C.J.S. Indians §§ 57 to 59, 66 to 72.

§ 5–102. Repealer

NCA 97–81 and NCA 01–228 are hereby repealed.
[Added by NCA 03–148, § 2, eff. Nov. 3, 2003.]
CHAPTER 6. TRIBAL CAPITOL COMPLEX
MASTER SITE PLAN

Section
6–102. Adoption and review of Master Plan.
6–103. Capital Improvement Program to conform to Master Plan.
6–104. Physical development matters to be submitted for approval.
6–105. The Master Plan.
6–107. Funding applications and proposals.
6–108. Office assignments.

Historical and Statutory Notes

NCA 93–151, § 101, provides:
"Findings.
"The Muscogee National Council finds that:
"A. The Office of the Principal Chief, Office of the Administration, and the Planning Department of the Muscogee Nation after careful study and after sponsoring a number of planning meetings involving administrative staff, members of the National Council, members representing the Judicial Branch, and members representing Independent Agencies has recommended to the National Council a Master Site Plan for the Muscogee Nation Tribal Capital Complex.
"B. The National Council has carefully considered the Master Site Plan and finds that said plan constitutes a suitable, logical, and timely plan for the future development of the Muscogee Nation Capital over the ensuing ten years.
"C. The Master Site Plan that was developed in 1978 was never officially adopted by the National Council.
"D. No official coordination for locating buildings at the tribal capital is in place.
"E. A building program is being initiated and needs official guidance and direction for locating each tribal facility on the Tribal Capital Complex Site."

§ 6–101. Definitions

A. "Capital improvement"—shall mean any expenditure for physical facilities of the government, such as costs for acquisition of land; construction of roads or utility lines; installation of fixed equipment; landscaping and similar expenditures.

B. "Capital Improvement Program"—shall mean a schedule of projects with estimated costs over a period of five (5) years.

C. "Master Plan"—shall mean a layout of the Muscogee (Creek) Nation Tribal Capitol Complex showing existing and proposed buildings, streets, utility services, parking spaces, and open spaces.

D. "Minor changes"—shall mean a change in a specific building site plan or the name of a building.

E. "Substantial changes"—shall mean a major deviation from the overall design of the Master Plan.

[NCA 93–151, § 102, approved Nov. 8, 1993; amended by NCA 06–60, § 1, eff. Apr. 29, 2006.]

§ 6–102. Adoption and review of Master Plan

A. The document entitled "Muscogee (Creek) Nation–Tribal Capitol Complex–Master Plan," shown in its entirety in § 6–105 of this Chapter, is hereby adopted as the Official Master Plan for the Tribal Capitol Complex of the Muscogee (Creek) Nation.
B. To ensure that the Master Plan is at all times current with the needs of the Tribal government, the Office of the Principal Chief and his designated staff shall annually review the Master Plan and recommend changes to the National Council. Should the Office of the Principal Chief find that no substantial changes to the Master Plan are necessary, this finding shall be reported to the Council. This review procedure shall be presented to the National Council no later than September 1st of each calendar year.

[NCA 93–151, § 104, approved Nov. 8, 1993; amended by NCA 06–60, § 1, eff. Apr. 29, 2006.]

Library References
Indians §210.
Westlaw Topic No. 209.
C.J.S. Indians §§ 57 to 59, 66 to 72.

§ 6–103. Capital Improvement Program to conform to Master Plan

The Master Plan shall guide the Capital Improvement Program for the Tribal Capitol Complex. The Office of the Principal Chief or his designated staff shall submit an annual report to the National Council regarding the Capital Improvement Program, which shall review each project for its conformity to the Master Plan; review the program in order to suggest any improvement in economy or efficiency which might be effected through the combining of various projects; and suggest any needed improvements which do not appear in the program.

[NCA 93–151, § 104, approved Nov. 8, 1993; amended by NCA 06–60, § 1, eff. Apr. 29, 2006.]

Library References
Indians §210.
Westlaw Topic No. 209.
C.J.S. Indians §§ 57 to 59, 66 to 72.

§ 6–104. Physical development matters to be submitted for approval

All matters affecting the physical development of the Tribal Capitol Complex shall be submitted to the Tribal Planner to ensure conformity to the Master Plan. The Tribal Planner shall submit his/her recommendations to the Principal Chief for approval.

[NCA 93–151, § 104, approved Nov. 8, 1993; amended by NCA 06–60, § 1, eff. Apr. 29, 2006.]

Library References
Indians §210.
Westlaw Topic No. 209.
C.J.S. Indians §§ 57 to 59, 66 to 72.

§ 6–105. The Master Plan

A. MNM #1.—Muscogee (Creek) Nation Memorial Plaza (ES VKERRICK TVCO)— Reserved to add beauty, arts and memorial items to the Complex Site. This area is also being reserved to sponsor National cultural events, such as a “National Stickball Field.” Additionally, this area is a designated area for a sign structure incorporating a symbolic Creek Mound (Planned Project).
B. **EOB #2.—Executive Office Building (ENRVKRKV CUKO)—** Programmed to house the Office of the Principal Chief, National Sovereignty Council, Office of the Administration, Office of Policy Development and associated activities connected with the Executive Branch of government. Existing facilities are approximately twenty thousand (20,000) sq. ft. with one hundred forty (140) parking spaces. Future improvements shall incorporate ADA Code requirements and remodeling. One hundred (100) extra parking spaces with existing parking lots resurfaced, and new sidewalks and landscaping. (Project Complete)

C. **DOJ #3.—Department of Justice Building (FVTCECKV CUKO)—** Programmed to house the Department of Justice and the Attorney General’s Office. Future improvements shall incorporate ADA Code requirements and remodeling. (Project Planned)

D. **TOB #4.—Treasury Office Building (CVTOKNAW VTEKV)—** Programmed to house the Office of the Treasury and the Controller’s Office. Future improvements shall include an additional five thousand (5,000) sq. ft. and shall incorporate ADA Code requirements and remodeling. (Planned Project).

E. **CMB #5.—Capital Mound Building (MVSKOKE ETVLWV ENCUKO RAKKO)—** Programmed to house public meetings. Approximately fifteen thousand (15,000) sq. ft. Future planning to include solving water leaks, additional parking, and landscaping. (Project Complete)

F. **LCB #6.—Legislative (Council) Building (VHKV HAYALKE EN CUKO)—** Programmed to house the National Council. Planned for twenty thousand (20,000) sq. ft. and one hundred twenty-seven (127) parking spaces. (Planned Project)

G. **JCB #7—Judicial Court Building (FVTCEVLKE ENCUKO CULO)—** Programmed to house the Supreme Court, District Court and other Courts. Planned for twenty thousand (20,000) sq. ft. and one hundred fifteen (115) parking spaces. (Planned Project).

H. **GPA #8.—Garden Plaza Area (NAK AHOCKV TVCO)—** Proposed landscaped areas with center fountains to add beauty, arts and memorial items. (Planned Project).

I. **CHB #9.—Community and Health Administration Services Building (ESTE MAPOKV MOMEN—CVKFEKNETV VFVSTVLKE)—** Programmed to house the Division of Community Services, Division of Health Administration, and associated programs. Planned for approximately twenty thousand (20,000) sq. ft. building and one hundred thirty (130) parking spaces (Planned Project).

J. **HDB #10.—Human Development Building (ESTE MAYVYETV)—** Programmed to house the Division of Human Development and associated programs. Planned for approximately twenty thousand (20,000) sq. ft. and one hundred (100) parking spaces (Planned and Funded Project).

K. **IAB #11.—Independent Agency Building (ALVKVL KVLKE)—** Programmed to house the Citizenship Board, Election Board, Office of Public Gaming, Office of Taxation, Gaming Operations Authority, Lighthorse Commission, Industrial Development Authority Board, Farm Authority Board, and
other independent agencies. Existing facilities, including approximately five thousand (5,000) sq. ft. with forty-nine (49) parking spaces.

L. **TAB #12.**—Tribal Affairs Building (ETVLWV ESAHECVLKE)—Programmed to house the Division of Tribal Affairs and associated programs. Planned for approximately twenty thousand (20,000) sq. ft. with seventy-two (72) parking spaces (Planned Project).

M. **HAP #13.**—Housing Authority Programs—(CUKO HECKECALKE ESKERKKVT)—Programmed to house the Housing Authority and associated programs, i.e., Planned for ten thousand (10,000) sq. ft. building with total ninety (90) shared parking units. (Planned Project)

N. **HAM #14.**—Housing Authority Management—(CUKO HECKECALKE EMAKERRICVLKE)—Programmed to house the Housing Authority Management and associated programs. Planned for five thousand (5,000) sq. ft. building with total ninety (90) shared parking units. (Planned Project)

O. **HAA #15.**—Housing Authority Administration—(CUKO HECKECALKE VFVSTVLKE)—Programmed to house the Housing Authority Administration and associated activities. Planned for five thousand (5,000) sq. ft. building with total ninety (90) shared parking units. (Planned Project).

P. **GPA #16.**—Garden Plaza Area (WE MOLE)—Proposed landscape area with a fountain to add beauty, arts, and memorial items. (Planned Project).

R. **TAB #17.**—Tribal Archives Building (ETVLWV SKERKV)—Programmed to serve as a depository and storage of official records of the Tribe. Planned remodel of existing facility. (Planned Project)

S. **HSB #18.**—Head-Start Building (HVTECESKV COKV HECKV)—Programmed to house the Head-Start Program. Existing five thousand, one hundred (5,100) sq. ft. facility with fifteen (15) parking spaces. (Completed Project)

T. **GSF #19.**—General Storage Facility (NAK HELACKV CUKO)—General storage facility. (Project Complete).

U. **GSA #20.**—General Services Administration Building (WVCENV MVFVSTVLKE ENCUKO)—Programmed to house the General Services Administration Program and associated activities. (Completed Project)

V. **FMB #21.**—Facility Maintenance Building (NAK MAHELACKV CUKO)—Programmed to house the Facility Maintenance Program and associated activities. (Planned Project)

W. **HAW #22.**—Housing Authority Warehouse Building (CUKO HECKE-CALKE NAK APOYETV)—Programmed to serve as a warehouse and maintenance facility for the Housing Authority. (Planned Project)

X. **CDB #23.**—Civil Defense Building (ETVLWV VKETECVLKE)—Programmed to house Emergency Operational Response Program and equipment. (Planned Project)

Y. **LAB #24.**—Lighthorse Administration Building (ESTECATE ESTE WVNAYV)—Programmed to house the Lighthorse Administration and associated activities. (Planned Project)
Z. **FPB #25.**—Fire Protection Building (TOTKV SENTACKVLKE)—Programmed to house the Rural Fire Protection Program. (Planned Project)

AA. **FDC #26.**—Food Distribution Center Building (HOMPETV AWVLETV)—Programmed to house the Food Distribution Program. (Completed Project)

BB. **MVP #27.**—Motor Vehicle Pool Area (ATOMO MAPOKETV)—Programmed to house Tribal motor vehicles. (Planned Project)

CC. **EBH #28.**—Environmental Health Service Building (ARETV AKE-TECVLKE)—Programmed to house the Department of Environmental Services Administration and Environmental Health Services. (Planned Project)

DD. **CRC #29.**—Cultural Resource Center and Museum Building (NAK VCAKE HELVCKV CUKO)—Programmed to house a Tribal library, cultural materials and collected artifacts. (Planned Project)

EE. **RPA #30.**—Recreation Pond Area (AKHVSSE)—Programmed to provide a pleasant environment. (Planned Project)

FF. **GBF #31.**—Gaming Bingo Building and Commercial Property (PENKO AKOPANETV CUKO)—Programmed to house the Okmulgee Bingo Hall and associated gaming activities. (Completed Project)

GG. **TRC #32.**—Technology Resource Center Building (NAKESKERRETV CUKO)—Programmed to house research and development activities. (Planned Project)

HH. **CPA #33.**—Commercial Property Area (NESKV CUKO RAKKO EKVNV)—Reserved for commercial and gaming activities. (Planned Project).

II. **CPA #34.**—Cultural Preservation Area (ENFOLETV ACAYECKV EKVNV)—Programmed to house outside cultural activities. (Planned Project)

JJ. **CDP #35.**—Child Development Parking Lot—Parking lots located west of the Child Development Center. Plans include a projection of approximately twenty (20) parking spaces.

KK. **CMP #37.**—Capitol Mound Building Parking Lot—Parking lots located east of the Capitol Mound Building. Plans include a projection of approximately one hundred (100) parking spaces.

LL. **WIC #38.**—Women, Infants and Children Clinic—Programmed to serve low-income expectant mothers and children up to the age of five (5).
TRIBAL CAPITOL COMPLEX SITE PLAN

Library References

Indians 210.
Westlaw Topic No. 209.
C.J.S. Indians §§ 57 to 59, 66 to 72.

[Abstract text regarding legal references and amendments.]

121
§ 6–106. Principles and guidelines for future development; Building Code
   A. All buildings shall be constructed and/or renovated in accordance with the Building Code adopted in MCNCA Title 28, Chapter 8.
   B. All buildings shall be designed and built to complement each other.
   C. All landscape designs, sidewalks, and plazas shall be designed to unify facilities.
   D. Every effort possible shall be made to keep and protect native trees.

[NCA 93–151, § 106, approved Nov. 8, 1993; amended by NCA 06–60, § 1, eff. Apr. 29, 2006.]

Library References
   Indians ⊘=210, 227.
   Westlaw Topic No. 209.
   C.J.S. Indians §§ 57 to 59, 66 to 72, 76.

§ 6–107. Funding applications and proposals
   The Office of the Principal Chief is authorized to submit applications, grants and proposals to various federal and private funding sources to help the Nation achieve its short-range and long-range goals and objectives of the Capital Improvement Program.

[NCA 93–151, § 107, approved Nov. 8, 1993; amended by NCA 06–60, § 1, eff. Apr. 29, 2006.]

§ 6–108. Office assignments
   The Office of the Principal Chief shall make office space assignments to the various branches, entities, agencies departments, programs and service functions of the Muscogee (Creek) Nation Tribal Government.

[NCA 93–151, § 107, approved Nov. 8, 1993; amended by NCA 06–60, § 1, eff. Apr. 29, 2006.]
CHAPTER 7. TRIBAL CONSTRUCTION ENGINEER

Section
7–102. Purpose.
7–103. Oversight.
7–104. Reports.
7–105. Legal review of contracts below $10,000.00.
7–106. Legal review and National Council approval of contracts above $10,000.00.
7–107. Exceptions.

§ 7–101. Findings
A. The Muscogee (Creek) Nation continues to increase the value of its assets through the constructing and renovating of buildings located on the Nation’s property.
B. The Muscogee (Creek) Nation employs a Tribal Construction Engineer whose duties include the oversight of construction and renovation on the Nation’s properties.
C. There is a need to insure that construction or renovation is aesthetically and architecturally sound; that it is in compliance with construction standards, including applicable building codes, and that the construction or renovations comply with the Nation’s Master Plan.
[Added by NCA 05–084, § 1, approved May 6, 2005.]

§ 7–102. Purpose
The purpose of this chapter is to require oversight by the Muscogee (Creek) Nation Tribal Construction Engineer on all construction or renovations that occur on the Nation’s property and to insure that all construction or renovations occur in a uniform manner throughout the Nation’s property.
[Added by NCA 05–084, § 1, approved May 6, 2005.]

Library References
Indians 227.
Westlaw Topic No. 209.
C.J.S. Indians § 76.

§ 7–103. Oversight
If any branch of the Nation’s government, independent agency, board, entity or chartered community plans, seeks or requests new construction or renovations on the Nation’s property, it shall first submit a request for construction support services to the Tribal Construction Engineer, utilizing a form provided by the Tribal Construction Engineer.
[Added by NCA 05–084, § 1, approved May 6, 2005.]

Library References
Indians 227.
Westlaw Topic No. 209.
C.J.S. Indians § 76.
§ 7–104. Reports

On a quarterly basis, the Tribal Construction Engineer shall provide to the National Council and the Principal Chief a written summary of all projects that have been submitted to the Tribal Construction Engineer. The report shall contain, at a minimum, the location of the project, the estimated or actual cost of the project and the party requesting the construction or renovation.

[Added by NCA 05–084, § 1, approved May 6, 2005.]

Library References

Indians 227.
Westlaw Topic No. 209.
C.J.S. Indians § 76.

§ 7–105. Legal review of contracts below $10,000.00

All contracts for construction or renovation below ten thousand dollars ($10,000.00) for projects located on the Nation’s property shall be reviewed by the Attorney General’s Office prior to execution by the Principal Chief to ensure that the Nation’s sovereign immunity is protected.

[Added by NCA 05–084, § 1, approved May 6, 2005.]

Library References

Indians 142, 227.
Westlaw Topic No. 209.
C.J.S. Indians §§ 11, 37 to 38, 76.

§ 7–106. Legal review and National Council approval of contracts above $10,000.00

All contracts for construction or renovation in excess of ten thousand dollars ($10,000.00) for projects located on the Nation’s property shall be reviewed by the Attorney General’s office. All contracts for new construction shall be approved by the National Council by way of duly adopted Tribal Resolution.

[Added by NCA 05–084, § 1, approved May 6, 2005; amended by NCA 07–268, § 1, eff. Jan. 2, 2008.]

Library References

Indians 142(1), 210, 227.
Westlaw Topic No. 209.
C.J.S. Indians §§ 11, 37 to 38, 57 to 59, 66 to 72, 76.

§ 7–107. Exceptions

All projects under the control of the Mound Building Oversight Committee shall be exempt from the requirements in § 7–103 through § 7–106; all projects under the control of the Gaming Operations Authority Board shall be exempt from the requirements in § 7–103 through § 7–106 as said projects are addressed in the Nation’s Gaming Code; and all projects under the Division of Housing shall be exempt from the requirements in § 7–103 through § 7–106 as said projects are addressed in the Nation’s Housing Code.

[Added by NCA 05–084, § 1, approved May 6, 2005.]
CHAPTER 8. BUILDING CODE

Section
8–101. Purpose.
8–103. Applicability.
8–104. Building Inspector.

§ 8–101. Purpose
The purpose of this chapter is to adopt construction codes for all construction or renovation projects of the Nation that occur on the Nation’s property and to ensure that all construction projects or renovations occur in a uniform manner throughout the Nation’s property.

[Added by NCA 05–162, § 1, eff. Sept. 2, 2005.]

Library References
Health §392.
Indians §227.
Westlaw Topic Nos. 198H, 209.

§ 8–102. Building Code

[Added by NCA 05–162, § 1, eff. Sept. 2, 2005.]

Library References
Health §392.
Indians §227.
Westlaw Topic Nos. 198H, 209.

§ 8–103. Applicability
The construction codes shall apply to all construction of any size, cost, type or purpose, regardless of whether it is new construction, addition, or renovation.

A. This chapter shall not apply to the mere repair or maintenance of an existing commercial building or accessory structure.

B. This chapter shall not apply to residential structures.

[Added by NCA 05–162, § 1, eff. Sept. 2, 2005.]

Library References
Health §392.
Indians §227.
Westlaw Topic Nos. 198H, 209.
Title 28, § 8–104  

§ 8–104. Building Inspector

The Tribal Construction Engineer is hereby appointed as the “Building Official” as designated in the construction codes.

[Added by NCA 05–162, § 1, eff. Sept. 2, 2005.]

Library References

Health ¶ 392.  
Indians ¶ 227.  
Westlaw Topic Nos. 198H, 209.  

C.J.S. Health and Environment §§ 35, 51 to 54, 56 to 64.  
C.J.S. Indians § 76.

TITLE 29. LIBRARY [RESERVED]

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