

THE TULALIP TRIBES
Resolution No. 2018- 441

Inhaling Toxic Fumes

WHEREAS the Board of Directors is the governing body of the Tulalip Tribes under the Constitution and Bylaws of the Tribes approved by the United States Commissioner of Indian Affairs and the Secretary of the Interior on January 24, 1936, pursuant to the Act of June 18, 1934 (48 Stat. 984, 25 U.S.C. §476);

WHEREAS, under the Tulalip Tribes Constitution Article VI, Sections I(K) & (L), the Board of Directors has the authority to safeguard and promote the peace, safety, morals, and general welfare of the Tulalip Reservation by regulating the conduct of trade and the use and disposition of property upon the reservation, and to promulgate and enforce ordinances governing the conduct of members of the Tribes providing for the maintenance of law and order and the administration of justice by establishing a tribal court and defining its duties and powers; and

WHEREAS, inhalants produce a variety of serious short-term and long-term health effects, and in some cases can be lethal, as high concentrations of these substances can cause death from suffocation, and inhaling the highly concentrated chemicals in solvents or aerosol sprays can also directly cause heart failure within minutes; and

WHEREAS, studies indicate that fifteen to twenty percent of eighth graders have tried inhalants; and

WHEREAS, the problem of inhalant abuse is of special concern because most substances that can be abused as inhalants are legal and widely available; and

WHEREAS, the Board of Directors finds that the abuse of inhalants, which are volatile substances that users inhale to induce mind-altering effects, cause immeasurable harm to those who use them, their families, and this community;

NOW THEREFORE BE IT ENACTED by the Board of Directors of the Tulalip Tribes:

Section 1. *New Chapter.* Tulalip Tribal Code Chapter 3.58 is hereby enacted as follows:

3.58.010 Definitions.

As used in this chapter, the phrase "substance containing a solvent having the property of releasing toxic vapors or fumes" shall mean and include any substance containing one or more of the following chemical compounds:

- (1) Acetone;
- (2) Amylacetate;
- (3) Benzol or benzene;
- (4) Butyl acetate;
- (5) Butyl alcohol;

- (6) Carbon tetrachloride;
- (7) Chloroform;
- (8) Cyclohexanone;
- (9) Ethanol or ethyl alcohol;
- (10) Ethyl acetate;
- (11) Hexane;
- (12) Isopropanol or isopropyl alcohol;
- (13) Isopropyl acetate;
- (14) Methyl "cellosolve" acetate;
- (15) Methyl ethyl ketone;
- (16) Methyl isobutyl ketone;
- (17) Toluol or toluene;
- (18) Trichloroethylene;
- (19) Tricresyl phosphate;
- (20) Xylol or xylene; or
- (21) Any other solvent, material substance, chemical, or combination thereof, having the property of releasing toxic vapors.

3.58.020 Unlawful inhalation.

It is unlawful for any person to intentionally smell or inhale the fumes of any substance for the purpose of causing a condition of, or inducing symptoms of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of the senses of the nervous system, or for the purpose of changing, distorting, or disturbing in any manner, the audio, visual, or mental processes. This section does not apply to the inhalation of any anesthesia for medical or dental purposes.

3.58.030 Possession prohibited.

No person may, for the purpose of violating TTC 3.58.020, use, or possess for the purpose of so using, a substance containing a solvent having the property of releasing toxic vapors or fumes.

3.58.040 Delivery prohibited.

No person may sell, offer to sell, deliver, or give to another person a substance containing a solvent having the property of releasing toxic vapors or fumes, if he or she has knowledge that the product sold, offered for sale, delivered, or given will be used in violation of TTC 3.58.020.

3.58.050 Penalty.

Any person who violates this chapter is guilty of a Class C offense.

Section 2. *Effective date.* This ordinance shall be in full force and effect on and after November 1, 2018.

ADOPTED by the Board of Directors of the Tulalip Tribes at a Regular meeting assembled on the 10 of October, 2018 with a quorum present, by a vote of 6 for and 0 against.

THE TULALIP TRIBES


Marie Zackuse, Chairwoman

ATTEST:


Bonnie Juneau, Secretary