

**TO APPROVE AND ADOPT CERTAIN CONSTRUCTION AND BUILDING CODES AND STANDARDS**

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**IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION**

**RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL**

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**A COUNCIL BILL**

**TO APPROVE** and adopt certain construction and building codes standards as the governing codes for the Choctaw Nation of Oklahoma.

**WHEREAS**, Article IX, Section 4 of the Constitution of the Choctaw Nation of Oklahoma states that the Tribal Council shall enact legislation, rules and regulations consistent with the Constitution and for the general good of the Choctaw Nation and for the administration and regulation of the affairs of the Choctaw Nation;

**WHEREAS**, certain buildings and improvements are constructed on lands owned and operated by the Choctaw Nation of Oklahoma (the "Nation");

**WHEREAS**, the Nation owns, operates, and constructs buildings on lands held in trust by the U.S. federal government for the benefit of the Nation or in Fee by the Nation (the "Lands");

**WHEREAS**, the Nation exercises its sovereign jurisdiction over the Lands;

**WHEREAS**, the Tribal Council of the Nation has determined that it is in the best interest of the Nation to enact certain construction and building codes, to set the minimum requirements, for any new construction projects, or any expansions or remodels of existing buildings and/or improvements, on any Land owned and operated by the Nation in order to protect the health and safety of Nation associates and the general public;

**WHEREAS**, the Tribal Council has determined that there are certain national and international building standards and codes that are established to protect public health, safety and welfare; that do not unnecessarily increase construction costs; that do not restrict the use of new materials, products and methods of construction; and that do not give preferential treatment to particular types or classes of materials, products or methods of construction; and

**WHEREAS**, the Council has determined that it is in the best interests of the Nation to set minimum requirements for new construction projects, or any expansions or remodels of existing buildings and/or improvements, and therefore adopt the Construction Codes as listed on Exhibit A (collectively, the "Choctaw Building Codes") and that all new construction projects, and any expansions or remodels of existing buildings and/or improvements, on the Lands owned and operated by the Nation shall be built in conformance with the Choctaw Building Codes for that type of building / structure and the occupancy type.

**THEREFORE BE IT ENACTED** by the Tribal Council that this Council Bill be cited as approval and authority to adopt all codes and standards listed in the attached Schedule I/Exhibit A and enact as the Building Codes and standards for the Choctaw Nation of Oklahoma, effective on July 7, 2021.

**BE IT FURTHER ENACTED** by the Council that this Council Bill be cited as approval and authority that any new construction, and any expansions or remodels of existing buildings and/or improvements, on any land owned and operated by the Choctaw Nation shall be constructed in compliance with the Choctaw Nation of Oklahoma Building Codes.

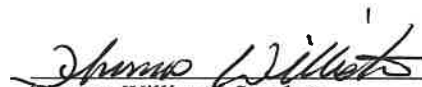
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**BE IT FURTHER ENACTED** by the Tribal Council that this Council Bill be cited as approval and authority that if any codes and standards listed within Exhibit A is updated and/or amended by the applicable governing body for such code, the Nation will determine at that time whether any such updates and/or amendments will be updated and adopted by the Nation.

**CERTIFICATION**

*I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that eleven (11) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on May 8, 2021. I further certify that the foregoing Council Bill CB-60 -21 was adopted at such meeting by the affirmative vote of ten (10) members, zero (0) negative votes, and one (1) abstaining.*

  
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Ronald Perry, Secretary  
Choctaw Nation Tribal Council

  
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Thomas Williston, Speaker  
Choctaw Nation Tribal Council

  
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Gary Batten, Chief  
Choctaw Nation of Oklahoma

Date 5-10-21

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EXHIBIT A

CHOCTAW BUILDING CODES

- International Residential Code, 2018 Edition (IRC, 2018)
- International Building Code, 2018 Edition (IBC, 2018)
- International Existing Building Code, 2018 Edition (IEBC, 2018)
- International Energy Conservation Code, 2018 Edition (IECC, 2018)
- International Fire Code, 2018 Edition (IFC, 2018)
- International Fuel Gas Code, 2018 Edition (IFGC, 2018)
- International Mechanical Code, 2018 Edition (IMC, 2018)
- International Plumbing Code, 2018 Edition (IPC, 2018)
- National Electrical Code, 2017 Edition (NEC, 2017)
- NFPA 10 – Standard for Portable Fire Extinguishers (2018 Edition)
- NFPA 13 – Standard for the Installation of Sprinkler Systems (2016 Edition)
- NFPA 14 – Standard for the Installation of Standpipe and Hose Systems (2016 Edition)
- NFPA 20 – Standard for the Installation of Stationary Pumps for Fire Protection (2016 Edition)
- NFPA 24 – Standard for Installation of Private Fire Service Mains and Their Appurtenances (2016 Edition)
- NFPA 25 – Standard for the Inspection, Testing and Maintenance of Water-based Fire Protection Systems (2017 Edition)
- NFPA 30A – Code for Motor Fuel Dispensing Facilities and Repair Garages (2018 Edition)
- NFPA 72 – National Fire Alarm and Signaling Code (2016 Edition)
- NFPA 101 – Life Safety Code (edition as adopted per The Joint Commission (TJC)) - (NFPA 101 applies only for accredited facilities through TJC).

The Choctaw Building Codes are adopted and enacted as minimum requirements for new construction, and any expansions or remodels of existing buildings and/or improvements, on the “Lands”. The Choctaw Nation may require stricter requirements including, but not limited to: projects funded in-full or in-part by Federal Grant(s), Group I health care projects/facilities that are accredited by The Joint Commission (TJC), or other requirements as may be determined applicable by the Nation.

*Any adoption of Choctaw Building Codes is not intended to alter applicable environmental compliance requirements, and all Choctaw Building Codes are subject to compliance with applicable environmental laws, rules, and regulations.*

**TO APPROVE AND ADOPT CERTAIN CONSTRUCTION AND BUILDING CODES AND STANDARDS**

**Purpose/Need of Council Bill:** The purpose of this bill is to enact the Choctaw Nation Construction and Building Codes. The Council has authority under the Constitution to manage tribal property and the Chief has the authority to faithfully execute the laws. The Choctaw Nation of Oklahoma Construction and Building Codes recognizes and regulates certain buildings and improvements constructed on lands owned and operated by the Nation, which lands may be held in either trust by the U.S. federal government for the benefit of the Nation or in Fee by the Nation. This Code regulates the minimum requirements, for any new construction projects, or any expansions or remodels of existing buildings and/or improvements, on any land owned and operated by the Nation in order to protect the health and safety of Nation associates and the general public.

**Please Note:** The current Council Bill for Construction and Building Codes has been narrowly tailored to only apply to construction projects on land *owned and operated by the Nation*, and not all land that falls within the Nation's reservation boundary but is operated privately. If the Nation wants to expand the language in the Council Bill to apply to all land within the Nation's reservation boundary, *including land owned and operated by private individuals and companies*, then leadership will need to discuss several other factors. However, this Council Bill has been drafted narrowly for the Nation's immediate needs, and until Nation leadership can discuss how to properly assert its expanding jurisdiction and sovereignty related claims.

**Title of Council Bill: TO APPROVE THE ENACTMENT OF CERTAIN CONSTRUCTION AND BUILDING CODES**

**Agency:** Construction Administration

**Budget:** N/A

**Match Required:** N/A

**Request by Project Director:** Kelly McKaughan, SEO, Integrated Services, Ronald Abney, Executive Officer Tribal Property Operations