



23rd Navajo Nation Council

MEMORANDUM

To : Manuel Rico, Senior Programs and Projects Specialist
OFFICE OF LEGISLATIVE SERVICES

From : 15711
Tom Platero, Executive Director
OFFICE OF LEGISLATIVE SERVICES

Date : January 9, 2019

Subject : ***23rd Navajo Nation Council Expired Legislation***

Pursuant to 2 N.N.C. § 164 (A) (1), "The last day for consideration of resolutions shall be December 31st of the year immediately preceding the swearing in of the new Council", the following legislation need to be closed out and labeled as "expired":

NAVAJO NATION COUNCIL:

0399-17	0424-17	0098-18	0136-18
0183-18	0224-18	0328-18	0344-18
0356-18	0358-18	0367-18	0373-18
0385-18	0393-18	0404-18	0416-18
0422-18			

NAABIK'YATI' COMMITTEE:

0224-15	0361-16	0341-18	0406-18
0418-18	0427-18		

BUDGET AND FINANCE COMMITTEE:

0021-17	0392-17	0099-18	0261-18
0287-18	0398-18	0435-18	0436-18

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE:

0414-18	0419-18	0451-18
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LAW AND ORDER COMMITTEE:

0114-17	0031-18	0217-18	0307-18
0353-18	0360-18	0364-18	0437-18

RESOURCES AND DEVELOPMENT COMMITTEE:

0402-15	0104-16	0121-16	0183-16
0282-16	0296-16	0370-16	0384-16
0135-17	0176-17	0386-17	0400-17
0076-18	0395-18	0415-18	0443-18

Legislation need to be closed out as soon as possible. If you have any questions, please let me know.

CONCURRENCE:



Honorable LoRenzo C. Bates, Speaker
23rd Navajo Nation Council

COPIES: Pete K. Atcitty, Chief of Staff, Office of the Speaker
Ed McCool, Acting Chief Legislative Counsel, Office of Legislative Counsel
Files

LEGISLATIVE SUMMARY SHEET

Tracking No. 0135-17

DATE: April 6, 2017

TITLE OF RESOLUTION: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACT RELATING TO LAW AND ORDER COMMITTEE, HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; ENACTING THE NAVAJO NATION BUILDING CODES OF 2017 AT 6 N.N.C. §§ 1180 ET SEQ.; ESTABLISHING THE NAVAJO NATION BUILDING AND SAFETY DEPARTMENT WITHIN THE DIVISION OF COMMUNITY DEVELOPMENT; ESTABLISHING THE NAVAJO NATION BUILDING CODES BOARD OF APPEALS, AND AMENDING 6 N.N.C. §§ 616 AND 620 AND RESCINDING OTHER INCONSISTENT NAVAJO NATION CODE SECTIONS

PURPOSE: The purpose of this proposed resolution is to enact the Navajo Nation Building Codes to be codified within Title Six of the Navajo Nation Code. This legislation would enact the International Building Code, the International Mechanical Code, the International Plumbing Code, the International Fire Code, the International Residential Code and the International Energy Conservation Code. These codes are available for viewing on the International Code Council Public Access website <<https://codes.iccsafe.org/public/collections/I-Codes>>. The National Electrical Code is available for viewing on the National Fire Protection Association website <<http://www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards?mode=code&code=70>>. All inconsistent Navajo Nation Code sections will be rescinded to provide for uniform building codes.

These codes are not attached as Exhibits because this legislation is written to adopt the **latest** International and National Codes; these International and National Codes are changed every two or three years. Most state, county and tribal codes make reference to the International Building Codes and National Building Codes in the state, county and tribal code books just by reference; the International Building Codes and National Building Codes are not usually reprinted into the state, county and tribal law books. Again, this is because the International and National Building Codes are constantly updated by the industry. For that reason, this amendment to the Navajo Nation Code is written as follows:

16-067-1

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: 5:01 pm 4/10/2017
Posting End Date: 4/15/2017
Eligible for Action: 4/16/2017

Law & Order Committee

THENCE

Health, Education & Human Services Committee

THENCE

Resources & Development Committee

THENCE

Budget & Finance Committee

THENCE

Naa'bik'íyáti' Committee

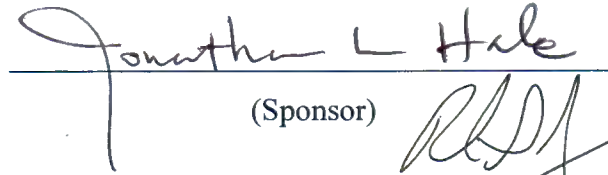
THENCE

Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

23rd NAVAJO NATION COUNCIL -- Third Year, 2017

INTRODUCED BY



(Sponsor)

TRACKING NO. 0135-17

AN ACT

RELATING TO LAW AND ORDER COMMITTEE, HEALTH, EDUCATION
AND HUMAN SERVICES COMMITTEE, RESOURCES AND
DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE,
NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL;
ENACTING THE NAVAJO NATION BUILDING CODES OF 2017 AT 6
N.N.C. §§ 1180 *ET SEQ.*; ESTABLISHING THE NAVAJO NATION
BUILDING AND SAFETY DEPARTMENT WITHIN THE DIVISION OF
COMMUNITY DEVELOPMENT; ESTABLISHING THE NAVAJO NATION
BUILDING CODES BOARD OF APPEALS, AND AMENDING 6 N.N.C. §§
616 AND 620 AND RESCINDING OTHER INCONSISTENT NAVAJO
NATION CODE SECTIONS

BE IT ENACTED:

Section One. Authorities

- A. The Law and Order Committee of the Navajo Nation Council, pursuant to 2 N.N.C. § 601(B)(14), reviews and makes recommendations to the Navajo Nation Council proposed amendments to the Navajo Nation Code.
- B. The Health, Education and Human Services Committee, pursuant to 2 N.N.C. § 400(C)(1), provides legislative oversight on matters involving health.

- 1 C. The Resources and Development Committee of the Navajo Nation
2 Council, pursuant to 2 N.N.C. § 500(C), exercises oversight authority over
3 the Division of Economic Development, the Division of Community
4 Development and housing issues on the Navajo Nation.
- 5 D. The Resources and Development Committee is responsible for reviewing
6 building code, electrical code, plumbing code, and housing code and
7 recommending the same for adoption or amendment to the Navajo Nation
8 Council. 6 N.N.C. § 5(A)(B); 2 N.N.C. § 501 (B) (4) (b).
- 9 E. The Budget and Finance Committee of the Navajo Nation Council is to
10 oversee the financial policies of the Navajo Nation. 2 N.N.C. § 300 (C)
11 (1).
- 12 F. The Naabik'íyáti' Committee of the Navajo Nation Council, pursuant to 2
13 N.N.C. § 164(A)(9), reviews proposed legislation which requires final
14 action by the Navajo Nation Council.

15
16 **Section Two. Findings**

- 17 A. The former Advisory Committee of the Navajo Nation Council, in 1963,
18 provided for a "Code Advisory Committee," 6 N.N.C § 6, tasked to assist
19 the former Transportation and Community Development Committee, now
20 the Resources and Development Committee, with the responsibility "for
21 reviewing building code, electrical code, plumbing code, and housing code
22 and recommending the same for adoption or amendment to the Navajo
23 Nation Council." This Advisory Committee was to be composed of "the
24 General Manager of the Navajo Tribal Utility Authority, the Head of the
25 Design and Engineering Services Department, Navajo Nation; Chief
26 Sanitary Engineer, Public Health Service; Maintenance Engineer, Bureau
27 of Indian Affairs, and such other persons as the President of the Navajo
28 Nation may from time to time designate." However, fifty-three years has
29 passed since 1963 and there is no evidence that a building code, electrical
30 code, plumbing code, and housing code have been recommended for

1 adoption to the Navajo Nation Council. The time has come to take action
2 on the adoption of such codes.

3 B. The enactment of building codes, including a building code, mechanical
4 code, electrical code, plumbing code, fire code, residential code, energy
5 conservation code for the Navajo Nation is a proper and necessary
6 exercise of sovereignty of the Navajo Nation government directly
7 affecting the health and safety of all residents of and visitors to the Navajo
8 Nation.

9 C. The International Building Code, the International Mechanical Code, the
10 International Plumbing Code, the International Fire Code, the International
11 Residential Code and the International Energy Conservation Code are
12 available for viewing on the International Code Council Public Access
13 website <https://codes.iccsafe.org/public/collections/I-Codes>. The National
14 Electrical Code is available for viewing on the National Fire Protection
15 Association website [http://www.nfpa.org/codes-and-standards/all-codes-
16 and-standards/list-of-codes-and-standards?mode=code&code=70](http://www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards?mode=code&code=70).

17 D. The enactment by the Navajo Nation of these building codes will provide
18 an acknowledged industry standards of quality necessary for superior
19 construction of residential and commercial buildings.

20 E. The building codes enacted by this legislation will be applicable to new
21 construction and to improvements to existing structures which are funded
22 by Navajo Nation funds, state funds or federal funds and to all commercial
23 construction no matter the funding sources. However, the building codes
24 will not be applicable to Navajo traditional buildings and traditional
25 structures.

26 F. The Navajo Nation Council understands that water, electricity and
27 sanitation facilities and infrastructure are not available at every location on
28 the Navajo Nation. Therefore, at a later date, the Navajo Nation Council
29 will revisit the question of whether these building codes will be made
30

1 applicable to all homes built, with the exception of traditional dwellings,
2 on the Navajo Nation.

3 G. The enactment of building codes necessitates the formation of a Navajo
4 Nation Building and Safety Department for performing various
5 administrative functions to ensure compliance with the building codes.

6 H. The enactment of building codes necessitates the creation of a Navajo
7 Nation Building Code Board of Appeals for the purpose of hearing and
8 determination appeals regarding the suitability of construction materials
9 and methods and other such questions on the applications of the Navajo
10 Nation Building Codes.

11 I. The Navajo Nation Code sections which are inconsistent with this
12 legislation will be rescinded to insure uniformity in the implementation of
13 Navajo Nation-wide building code standards.

14 J. One such inconsistent Navajo Nation Code provision is Title Six
15 Subchapter Five Section 616 relating to the Navajo Housing Authority.
16 This section currently allows the Navajo Housing Authority to provide
17 inspection services on all NAHASDA funded development projects. With
18 the enactment of this legislation, this function will be provided by the
19 Navajo Nation Building and Safety Department; therefore Section 616
20 will be rescinded by this legislation to allow conformity with the purpose
21 of the Navajo Nation Building Codes.

22 K. The Navajo Nation Council finds that it is in the best interest of the
23 Navajo Nation to enact the Navajo Nation Building Codes, to create the
24 Navajo Nation Building and Safety Department and to establish the
25 Navajo Nation Building Code Board of Appeals.

26
27 **Section Three. Enactment of the Navajo Nation Building Codes Act of 2017**

28 The Navajo Nation hereby enacts the Navajo Nation Building Codes Act of
29 2017.
30

1 **Section Four. Amendment of Title Six of the Navajo Nation Code**

2 The Navajo Nation Council hereby amends Title Six of the Navajo Nation
3 Code as follows:

4 _____
5 NAVAJO NATION CODE ANNOTATED

6 TITLE 6. COMMUNITY DEVELOPMENT

7 CHAPTER 1. COMMUNITY ACTIVITIES AND DEVELOPMENT

8 SUBCHAPTER 1. GENERALLY

9 * * * *

10 § 5. Code review

11
12 A. The ~~Transportation~~ Resources and ~~Community~~ Development
13 Committee of the Navajo Nation Council is declared to be the body responsible
14 for reviewing codes and recommending the same for adoption or amendment to
15 the Navajo Nation Council.

16
17 B. Codes subject to review by the ~~Transportation~~ Resources and
18 ~~Community~~ Development Committee shall include building code, electrical code,
19 plumbing code, housing code, sanitation code, zoning code.

20
21 ~~§ 6. Code Advisory Committee~~

22
23 ~~To assist the Transportation and Community Development Committee of~~
24 ~~the Navajo Nation Council in discharging its responsibility for code review, there~~
25 ~~is created a Code Advisory Committee consisting of a representative of the~~
26 ~~Navajo Nation appointed by the President of the Navajo Nation; the General~~
27 ~~Manager of the Navajo Tribal Utility Authority; the Head of the Design and~~
28 ~~Engineering Services Department, Navajo Nation; Chief Sanitary Engineer,~~
29 ~~Public Health Service; Maintenance Engineer, Bureau of Indian Affairs, and such~~
30

1 other persons as the President of the Navajo Nation may from time to time
2 designate.

3 * * * *

4 TITLE 6. COMMUNITY DEVELOPMENT

5 CHAPTER 5. HOUSING PROJECTS

6 SUBCHAPTER 5. NAVAJO HOUSING AUTHORITY

7 * * * *

8 **§ 616. Powers**

9 A. The Authority shall have perpetual succession in its corporate name.

10 B. The Authority shall have the following powers which it may exercise
11 consistent with the purposes for which it is established:

12
13 * * * *

14 ~~20. To serve as the Construction Management Authority for the Navajo Nation on~~
15 ~~all NAHASDA funded development project(s) notwithstanding any other~~
16 ~~provision of law or plan of operation of any Navajo division. Such authorization~~
17 ~~includes but is not limited to the authority to:~~

18 ~~a. Provide planning, architectural, engineering, construction, inspection services,~~
19 ~~and construction management services to chapters, Navajo Nation divisions and~~
20 ~~other entities of the Navajo Nation on all NAHASDA funded development~~
21 ~~project(s).~~

22 ~~b. Provide planning, architectural, engineering, construction, inspection services,~~
23 ~~and construction management services for Navajo Nation public facilities and~~
24 ~~capital projects that are funded by NAHASDA to meet specifications satisfying~~
25 ~~cultural and environmental conditions in accordance with applicable established~~
26 ~~Navajo Nation, State and Federal regulations, codes and standards.~~

27
28 * * * *

29 **~~§ 620. Planning, zoning, sanitary and building regulations Navajo Nation~~**
30 **~~Building Codes~~**

1 ~~All projects of the Authority shall be subject to the planning, zoning, sanitary and~~
2 ~~building regulations applicable to the locality in which the planned project is~~
3 ~~situated.~~

4 All projects of the Authority constructed within the jurisdiction of the Navajo
5 Nation shall be subject to the Navajo Nation Building Codes, 6 N.N.C. §§ 1180 *et*
6 *seq.*

7
8 * * * *

9 TITLE 6. COMMUNITY DEVELOPMENT
10 CHAPTER 8. NAVAJO NATION BUILDING CODES
11

12 **§ 1180. Purposes**

13 The purpose of the Navajo Nation Building Codes (“Codes”) is to promote
14 public health and safety by establishing an industry standard for the superior
15 construction of buildings, including manufactured homes, on the Navajo Nation.
16

17 **§ 1181. Applicability of the Navajo Nation Building Codes**

- 18 A. The Navajo Nation Building Codes shall be applicable to structures built with
19 federal, state and Navajo Nation funding, and to any commercial structure no
20 matter the funding source.
21 B. The Navajo Nation Building Codes shall not applicable to Navajo traditional
22 buildings including but not limited to such structures as hooghan nímazí
23 (hogans), chaha’oh (shade houses), táchééh (sweathouses), and Navajo
24 ceremonial structures whether or not the structures are to be built with federal,
25 state or Navajo Nation funding.
26 C. The Navajo Nation Building Codes shall be applicable to structures built
27 within the jurisdiction of the Navajo Nation.
28

29 **§ 1182. Code Editions Adopted**

- 30 A. All Codes adopted shall be the latest editions.

1 B. All construction shall conform to the Codes in existence at the time the
2 building permit is issued.

3 C. Copies of the Navajo Nation Building Codes will be available for viewing at
4 the Navajo Nation Building and Safety Department or on its website.

5
6 **§ 1183. Adoption of International Building Code**

7 The International Building Code is adopted by the Navajo Nation and
8 incorporated into the Navajo Nation Building Codes.

9
10 **§ 1184. Adoption of International Mechanical Code**

11 The International Mechanical Code is adopted by the Navajo Nation and
12 incorporated into the Navajo Nation Building Codes.

13
14 **§ 1185. Adoption of National Electrical Code**

15 The National Electrical Code is adopted by the Navajo Nation and
16 incorporated into the Navajo Nation Building Codes.

17
18 **§ 1186. Adoption of International Plumbing Code**

19 The International Plumbing Code is adopted by the Navajo Nation and
20 incorporated into the Navajo Nation Building Codes.

21
22 **§ 1187. Adoption of the International Fire Code**

23 The International Fire Code is adopted by the Navajo Nation and incorporated
24 into the Navajo Nation Building Codes.

25
26 **§ 1188. Adoption of the International Residential Code**

27 The International Residential Code is adopted by the Navajo Nation and
28 incorporated into the Navajo Nation Building Codes.

29
30 **§ 1189. Adoption of the International Energy Conservation Code**

1 The International Energy Conservation Code is adopted by the Navajo Nation
2 and incorporated into the Navajo Nation Building Codes.

3
4 §§ 1190-1191 [Reserved]

5
6 **§ 1192. Navajo Nation Building and Safety Department**

- 7 A. The Navajo Nation Building and Safety Department (“Department”) is
8 established within the Division of Community Development.
- 9 B. The Department is responsible for ensuring compliance with the Navajo
10 Nation Building Codes, the calculation and collection of building fees for the
11 administration of building permits issued by the Department and the
12 assessment of fines in the event of non-compliance with the Navajo Nation
13 Building Codes.
- 14 C. The Division Director of the Division of Community Development is to
15 develop the Plan of Operation for the Navajo Nation Building and Safety
16 Department for approval by the Resources and Development Committee.
17 Amendments to the Navajo Nation Building and Safety Department Plan of
18 Operation shall be approved by the Resources and Development Committee.
- 19 D. The Navajo Nation Building and Safety Department shall be under the
20 oversight of the Resources and Development Committee.

21
22 **§ 1193. Navajo Nation Building Code Board of Appeals**

- 23 A. The Navajo Nation Building Code Board of Appeals (“Board”) is established.
- 24 B. The purpose of the Board is to hear and determine appeals regarding the
25 suitability of construction materials and methods. The Board will hear
26 requests for variances on the application of the Navajo Nation Building
27 Codes. The Board shall determine its procedures for hearing such appeals.
- 28 C. The Board may study proposed changes to the Navajo Nation Building Codes
29 and may make recommendations for any proposed changes to the Resources
30 and Development Committee as needed.

- 1 D. The Board shall consist of five members appointed by the President of the
2 Navajo Nation and confirmed by the Resources and Development Committee
3 to serve four year terms. The Board shall be comprised of two engineers, an
4 architect, a residential contractor, and a general building contractor. Three
5 members are required for a quorum to conduct business. The Board will meet
6 four times a year and as needed. When a vacancy occurs during an unexpired
7 term, the newly confirmed Board Member shall serve the remainder of the
8 unexpired term, provided the unexpired term is more than one year. If the
9 unexpired term is less than one year, the newly appointed Board Member shall
10 be confirmed for a term of four years. If the President does not fill a vacant
11 position on the Board for a period of 10 months, the Resources and
12 Development Committee shall confirm a Board Member for the vacant
13 position. No members of the Board shall be Navajo Nation Council Delegates
14 or Navajo Nation, state or federal elected officials.
- 15 E. The Navajo Nation Building and Safety Department shall provide a budget for
16 the Board and shall provide administrative assistance to the Board to enable
17 the Board to fulfill its purposes.

18
19 **§ 1194. Prior inconsistent law repealed.**

20 All prior Navajo Nation laws, rules, regulations and provisions of the Navajo
21 Nation Code previously adopted which are inconsistent with this Act are hereby
22 repealed.

23 **§ 1195. Amendments**

24 Sections 1182 through 1194 herein may be amended from time to time by the
25 Navajo Nation Council upon recommendation of the Resources and Development
26 Committee of the Navajo Nation Council.

27
28 *****
29 _____
30

1
2 **Section Five. Rescinding inconsistent Navajo Nation Code sections**

3 The Navajo Nation Code sections which are inconsistent with this legislation are
4 rescinded to insure uniformity in the implementation of Navajo Nation-wide
5 building code standards.
6

7 **Section Six. Effective Date**

8 These Building Codes shall become effective at the beginning of the First
9 Quarter of Fiscal Year 2019, October 1, 2018.
10

11 **Section Seven. Codification**

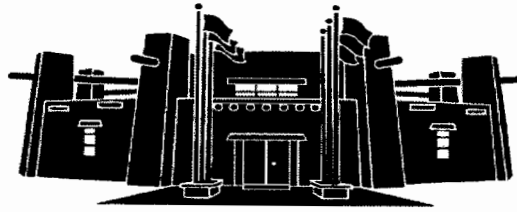
12 The provisions of this Act which amend or adopt new sections of the Navajo
13 Nation Code shall be codified by the Office of Legislative Counsel. The Office of
14 Legislative Counsel shall incorporate such amended provisions in the next
15 codification of the Navajo Nation Code.
16

17 **Section Eight. Saving Clause**

18 Should any provisions of this Act be determined invalid by the Navajo Nation
19 Supreme Court or the District Courts of the Navajo Nation, without appeal to the
20 Navajo Nation Supreme Court, those portions of this Act which are not
21 determined invalid shall remain the law of the Navajo Nation.
22

23 **Section Nine. Directive to the Division of Community Development**

24 The Executive Director of the Division of Community Development shall
25 present a report to the Naabik'íyáti' Committee and the Resources and
26 Development Committee sixty (day) days after the enactment of this resolution.
27 The report shall provide plans for the implementation of the Navajo Nation
28 Building Codes Act of 2017, the establishment of the Navajo Nation Building and
29 Safety Department and the progress and concerns regarding this new law
30 including budgetary issues.



MEMORANDUM

TO: Honorable Jonathan Hale
Oak Springs and St. Michael's Chapters

FROM: Mariana Kahn
Mariana Kahn, Attorney
Office of Legislative Counsel

DATE: April 6, 2017

SUBJECT: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACT RELATING TO LAW AND ORDER COMMITTEE, HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'ÍYÁTI' COMMITTEE AND THE NAVAJO NATION COUNCIL; ENACTING THE NAVAJO NATION BUILDING CODES OF 2017 AT 6 N.N.C. §§ 1180 ET SEQ.; ESTABLISHING THE NAVAJO NATION BUILDING AND SAFETY DEPARTMENT WITHIN THE DIVISION OF COMMUNITY DEVELOPMENT; ESTABLISHING THE NAVAJO NATION BUILDING CODES BOARD OF APPEALS, AND AMENDING 6 N.N.C. §§ 616 AND 620 AND RESCINDING OTHER INCONSISTENT NAVAJO NATION CODE SECTIONS

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. Please ensure that his particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

These codes are not attached as Exhibits because this legislation is written to adopt the latest International and National Codes; these International and National Codes are changed every two or three years. Most state, county and tribal codes make reference to the International Building Codes and National Building Codes in the state, county and tribal code books just by reference; the International Building Codes and National Building Codes are not usually reprinted into the state, county and tribal law books. Again, this is because the International and National Building Codes are constantly updated by the industry. For that reason, this amendment to the Navajo Nation Code is written as follows:

§ 1182. Code Editions Adopted

- A. All Codes adopted shall be the latest editions.**
- B. All construction shall conform to the Codes in existence at the time the building permit is issued.**
- C. Copies of the Navajo Nation Building Codes will be available for viewing at the Navajo Nation Building and Safety Department or on its website.**

For your information, I have addressed a letter to the Speaker, the Executive Director of the Office of Legislative Services and yourself regarding how to access the six International Codes and the National Electrical Code via the two companies' free public viewing websites. The letter also gives information on how the Speaker's Office and the Office of Legislative Services may obtain paper copies of the seven building codes.

The information provided in the proposed legislation is as follows: The building codes to be adopted are the International Building Code, the International Mechanical Code, the International Plumbing Code, the International Fire Code, the International Residential Code and the International Energy Conservation Code and the National Electrical Code. The Navajo Nation Council delegates and the Navajo Nation public and constituents may view the codes on the International Code Council Public Access website <<https://codes.iccsafe.org/public/collections/I-Codes>>. The National Electrical Code is available for viewing on the National Fire Protection Association website <<http://www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards?mode=code&code=70>>.

§ 1182. Code Editions Adopted

- A. All Codes adopted shall be the latest editions.
- B. All construction shall conform to the Codes in existence at the time the building permit is issued.
- C. Copies of the Navajo Nation Building Codes will be available for viewing at the Navajo Nation Building and Safety Department or on its website.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0135-17_____

SPONSOR: Jonathan Hale

TITLE: An Action Relating To Law and Order, Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'iyati' Committee and the Navajo Nation Council; Enacting the Navajo Nation Building Codes of 2017 at 6 N.N.C. § § 1180 ET SEQ.; Establishing the Navajo Nation Building Codes Board of Appeals, and Amending 6 N.N.C. § § 616 and 620 and Rescinding other Inconsistent Navajo Nation Code Sections

Date posted: April 10, 2017 at 5:01pm

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

**Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590**

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0135-17

SPONSOR: Honorable Jonathan L. Hale

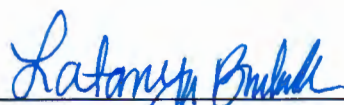
TITLE: An Action Relating To Law and Order, Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'ivati' Committee and the Navajo Nation Council; Enacting the Navajo Nation Building Codes of 2017 at 6 N.N.C. § § 1180 ET SEQ.; Establishing the Navajo Nation Building Codes Board of Appeals, and Amending 6 N.N.C. § § 616 and 620 and Rescinding other Inconsistent Navajo Nation Code Sections

Posted: April 10, 2017 at 5:01 PM

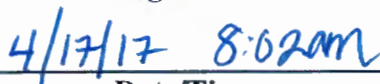
5 DAY Comment Period Ended: April 15, 2017

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inclusive Comments	<i>None</i>



Policy Analyst
Office of Legislative Services



Date/Time

**LAW AND ORDER COMMITTEE
23RD NAVAJO NATION COUNCIL**

THIRD YEAR 2017

COMMITTEE REPORT

Mr. Speaker,

The **LAW AND ORDER COMMITTEE** to whom has been assigned:

Legislation No. 0135-17: An Action Relating to Law & Order, Health, Education and Human Services Committee, Resources & Development Committee, Budget & Finance Committee, Naabik'iyati' Committee and the Navajo Nation Council; Enacting the Navajo Nation Building Codes of 2017 at 6 N.N.C. § 1180 ET SEQ.; Establishing the Navajo Nation Building Codes Board of Appeals, and Amending 6 N.N.C. § 616 and 620 and Rescinding Other Inconsistent Navajo Nation Code – Sponsors: Hon. Jonathan L. Hale/Hon. Raymond Smith, Jr.

Has had it under consideration and reports the same with the recommendation that it **DO PASS** with a directive:

The Law & Order Committee made a directive to the Sponsor to have Navajo Tribal Utility Authority, Division of Community Development, Housing Improvement Program, Navajo Engineering Construction Authority, Private Contractors, Navajo Housing Authority, Navajo Nation Fire Department and Insurance Companies be present at Naabik'iyati' Committee. There were numerous questions raised by the committee and would like to have all involved parties be available.

And thereafter referred to Health, Education & Human Services Committee

Respectfully submitted,



Edmund Yazzie, Chairperson
Law and Order Committee
23rd Navajo Nation Council

Date: June 19, 2017

Main Motion: Honorable Raymond Smith, Jr.
Second : Honorable Otto Tso
Vote : 4-0 (Chairperson not voting)

Committee Report

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0135-17

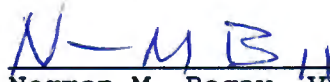
AN ACT RELATING TO LAW AND ORDER COMMITTEE, HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIK'IYATI' COMMITTEE AND NAVAJO NATION COUNCIL; ENACTING THE NAVAJO NATION BUILDING CODES OF 2017 AT 6 N.N.C. §§ 1180 *ET SEQ.*; ESTABLISHING THE NAVAJO NATION BUILDING AND SAFETY DEPARTMENT WITHIN THE DIVISION OF COMMUNITY DEVELOPMENT; ESTABLISHING THE NAVAJO NATION BUILDING CODES BOARD OF APPEALS, AND AMENDING 6. N.N.C. §§ 616 AND 620 AND RESCINDING OTHER INCONSISTENT NAVAJO NATION CODE SECTIONS

Sponsor: Honorable Jonathan L. Hale
Co-Sponsor: Honorable Raymond Smith, Jr.

Has had under consideration and report the same with the recommendation that Legislation 0135-17 PASS with no amendment and no directive;

And therefore referred the same to the RESOURCES AND DEVELOPMENT COMMITTEE OF THE NAVAJO NATION COUNCIL

Respectfully Submitted,



Norman M. Begay, Vice-Chairperson
Health, Education and Human Services Committee

Dated: June 26, 2017

Main Motion

Motion by: Honorable Nathaniel Brown
Seconded by: Honorable Amber Kanazbah Crotty
Vote: 3 in favor; 0 Opposed; Vice-Chairperson Not Voting

**RESOURCES AND DEVELOPMENT COMMITTEE
23rd NAVAJO NATION COUNCIL**

THIRD YEAR 2017

COMMITTEE REPORT

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

LEGISLATION # 0135-17: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACT RELATING TO LAW AND ORDER COMMITTEE, HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, RESOURCES AND DEVELOPMENT COMMITTEE, BUDGET AND FINANCE COMMITTEE, NAABIKIYATI COMMITTEE AND THE NAVAJO NATION COUNCIL; ENACTING THE NAVAJO NATION BUILDING CODES OF 2017 AT 6 N.N.C. §§ 1180 ET SEQ.; ESTABLISHING THE NAVAJO NATION BUILDING AND SAFETY DEPARTMENT WITHIN THE DIVISION OF COMMUNITY DEVELOPMENT; ESTABLISHING THE NAVAJO NATION BUILDING CODES BOARD OF APPEALS, AND AMENDING 6 N.N.C. §§ 616 AND 620 AND RESCINDING OTHER INCONSISTENT NAVAJO NATION CODE SECTIONS. *Sponsor: Honorable Jonathan Hale; Co-Sponsor: Honorable Raymond Smith, Jr.*

Has had it under consideration and report a **DO PASS** with no amendment

Thereafter the legislation was referred to Budget and Finance Committee.

Respectfully submitted,



Alton Joe Shepherd, Honorable Chairperson
Resources and Development Committee of
the 23rd Navajo Nation Council

DATE: August 8, 2017

MEETING LOCATION: NDOT Administrative Complex, Tse Bonito, NM

Main Motion: Davis Filfred

Second: Jonathan Perry

Vote: 4-0-1 (CNV)

23rd NAVAJO NATION COUNCIL

Third Year 2017

Mr. Speaker:

The **BUDGET & FINANCE COMMITTEE** to whom has been assigned

NAVAJO LEGISLATIVE BILL # 0135-17:

An Act Relating to Law and Order Committee, Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, Naabikiyati Committee and the Navajo Nation Council; Enacting the Navajo Nation Building Codes of 2017 at 6 N.N.C. §§ 1180 *ET. SEQ.*; Establishing the Navajo Nation Building and Safety Department within the Division of Community Development; Establishing the Navajo Nation Building Codes Board of Appeals, and Amending 6 N.N.C. §§ 616 and 620 and Rescinding Other Inconsistent Navajo Nation Code Sections *Sponsored by Jonathan L. Hale and Raymond Smith Jr., Council Delegates*

has had it under consideration and reports the same with the recommendation that It **Do Pass** with 1 amendment.

1. On Page 10, line(s) 23-26, strike § 1195 Amendments “Sections 1182 through 1194 herein may be amended from time to time by the Navajo Nation Council upon recommendation of the Resources and Development Committee of the Navajo Nation Council.” *Amendment 1 Motion: Leonard Tsosie Second: Dwight Witherspoon Vote: 5-0*

And therefore, referred to the **NABIKIYATI** Committee

Respectfully submitted,


Seth Damon, Chairman

Adopted: 
Legislative Advisor

Not Adopted: _____
Legislative Advisor

15 August 2017

The vote was **5** in favor **0** opposed

Motion: Lee Jack Sr.

Second: Dwight Witherspoon

AGENDA
NAABIK'IYATI' COMMITTEE WORK SESSION

23rd Navajo Nation Council – Third Year

October 10, 2017 --- 8:30 a.m.

Navajo Nation Museum Auditorium---Window Rock, AZ

PRESIDING: Honorable LoRenzo C. Bates, Speaker, Navajo Nation Council

1. Call Work Session to Order; Invocation; Announcement

2. Purpose of the Work Session Honorable LoRenzo C. Bates
Legislations 0135-17 and 0279-17 Tabled by Naabik'iyati' Committee for a work session

3. Presentation by Honorable Jonathan L. Hale on Legislation **0135-17**

Legislation **0135-17**: An Act relating to Law and Order, Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'iyati' Committee and the Navajo Nation Council; Enacting the Navajo Nation Building Codes of 2017 at 6 N.N.C. §§1180 ET SEQ.; Establishing the Navajo Nation Building and Safety Department within the Division of Community Development; Establishing the Navajo Nation Building Codes Board of Appeals, and Amending 6 N.N.C. §§616 and 620 and Rescinding other inconsistent Navajo Nation Code Sections Sponsor: Hon. Jonathan L. Hale; Co-sponsor: Hon. Raymond Smith, Jr.

Other Presenters:

- 1) Navajo Tribal Utility
- 2) Division of Community Development-Housing Improvement Program
- 3) Navajo Engineering & Construction Authority
- 4) Private Contractors
- 5) Navajo Housing Authority
- 6) Navajo Nation Fire Department
- 7) Insurance companies

4. Close of Session

NAABIK'IYATI' COMMITTEE WORK SESSION
Navajo Nation Museum Auditorium
October 10, 2017

Directive to the Navajo Division of Community Development:

To the Division of Community Development to head a task force comprised of the following departments:

- Division of Economic Development
- Property (Department of General Services)
- Facilities Maintenance
- Risk Management
- Navajo Occupational Safety and Health (NOSHA)
- Insurance Services
- Fire Department
- BIA Maintenance
- Navajo Housing Authority (NHA)
- And other entities where appropriate

To develop a list of buildings, including traditional buildings, that demonstrate the deficiencies in building construction on the Navajo Nation for the purpose of supporting and guiding the passage of regulatory schemes for the health and safety of the Navajo Nation.

The members of this task force, to be designated and selected by DCD, may, in preparation for this assignment, determine they need training in mold inspection, mold remediation, asbestos inspection, asbestos remediation, licensing, and ADA compliance.

The task force shall present a report on their progress and a program plan for developing a building code at the next Naabik'iyati' meeting.

**23rd NAVAJO NATION COUNCIL
NAABIK'ÍYÁTI' COMMITTEE REPORT
Fourth Year 2018**

The **NAABIK'ÍYÁTI' COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0135-17

An Act Relating to Law and Order Committee, Health, Education and Human Services Committee, Resources and Development Committee, Budget and Finance Committee, Naabik'íyáti' Committee and the Navajo Nation Council; Enacting the Navajo Nation Building Codes of 2017 at 6 N.N.C. §§ 1180 ET SEQ.; Establishing the Navajo Nation Building and Safety Department within the Division of Community Development; Establishing the Navajo Nation Building Codes Board of Appeals, and Amending 6 N.N.C. §§ 616 and 620 and Rescinding other Inconsistent Navajo Nation Code Sections

Sponsored by: Honorable Jonathan L. Hale

Co-Sponsored by: Honorable Raymond Smith, Jr.

Has had it under consideration and reports the same **WAS REFERRED TO THE RESOURCES AND DEVELOPMENT COMMITTEE**

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'LoRenzo C. Bates', written over a horizontal line.

*Honorable LoRenzo C. Bates, Chairman
NAABIK'ÍYÁTI' COMMITTEE*

11 JANUARY 2018

MOTION TO REFER: Motion to Refer to the Resources and Development Committee no later than 60 days to conduct a work session and invite all Members of the Navajo Nation Council

Motioned by: Honorable Leonard Tsosie

Seconded by: Honorable Alton Joe Shepherd

Vote: 08 in Favor, 05 Opposed (Chairman Bates Not Voting)

MAIN MOTION:

Motioned by: Honorable Edmund Yazzie

Seconded by: Honorable Jonathan Perry

Vote: PENDING VOTE

NAVAJO NATION

RCS# 724

Naa'bik'iyati Committee

1/11/2018

03:47:01 PM

Amd# to Amd#

PASSED

MOT Tsosie

Defer to RDC, to conduct a work session for NNC no later than 60 days.

SEC Shepherd

Yea : 8

Nay : 5

Not Voting : 11

Yea : 8

Bennett
Damon

Filfred
Perry

Shepherd
Slim

Tso
Tsosie

Nay : 5

Begay, K
Chee

Jack

Smith

Witherspoon

Not Voting : 11

Bates
Begay, NM
Begay, S

BeGaye, N
Brown
Crotty

Daniels
Hale
Pete

Phelps
Yazzie