

Coquille Indian Tribal Code
Chapter 250
Coquille Crafted Ordinance

Index

Subchapter/ Section	<u>Page</u>
250.010 Background and Purpose	2
250.100 Definitions	2
250.300 Disclaimer	3
250.400 Designation of Items	3
250.450 Identification of Coquille Crafted Items	4
250.500 Exemption	5
250.600 Creation of Civil Violations of Unauthorized Sale of Coquille Crafted Item	5
250.800 Revocation of Permit	6
250.900 Coquille Crafted Logo	6

Coquille Indian Tribal Code
Chapter 250
Coquille Crafted Ordinance

250.010 Background and Purpose. The Tribal Council adopts this Ordinance to allow Tribal members to identify items as “Coquille Crafted” as defined below. The purpose of this ordinance is to assist Tribal members to market certain products, and to encourage the creation of traditional Coquille Products. This ordinance also establishes civil offenses and penalties related to the misuse of this process. At a minimum, violations of this ordinance may result in the loss of a permit and/or a fine.

250.100 Definitions.

1. “Coquille Made” means an item that is made by an enrolled member of the Coquille Indian Tribe. For this purpose “made by” means that a member of the Coquille Indian Tribe has provided the work necessary to implement an artistic design through a substantial transformation of materials. This may include more than one Coquille Tribal member working together. The labor component of the item must be entirely Coquille for the item to be “Coquille Made.” The individual components used to make a Coquille Made item need not be Coquille made. A Coquille Made item does not include any of the following:

- a. An item made with non-Coquille Tribal member labor;
 - b. An item designed by a Coquille Tribal member but produced in whole or in part by non-Coquille Tribal member labor;
 - c. An item that is assembled from a kit;
 - d. An item in the style of a Coquille Made art or craft product originating from a commercial product, without substantial transformation provided by Coquille Tribal Member artistic or craft work labor;
 - e. Industrial items, which for this purpose are defined as goods that have an exclusively functional purpose, do not serve as a traditional artistic medium, and that do not lend themselves to Coquille Tribal Member embellishment, such as appliances and vehicles. An industrial item may not become a Coquille Made product;
 - f. An item in the style of a Coquille Made product that is produced in an assembly line or related production line process using multiple workers not all of whom are Coquille Tribal Members. For example, if twenty people make up the labor to create the product(s), and one person is not a Coquille Tribal member, the product is not Coquille Made.
2. “Coquille Handicraft” means a Coquille Made item that is hand made and composed wholly or in significant part, of natural materials using skill developed over time.

Coquille Indian Tribal Code
Chapter 250
Coquille Crafted Ordinance

-
3. “Coquille Artwork” means a Coquille Made item that is made of natural or non-natural materials, and is composed with artistic skill developed over time. Coquille Artwork includes *prints* of original Coquille Made visual arts, and beer, wine and food products.
 4. “Coquille Crafted” or a “Coquille Crafted Item” means an item that is either a Coquille Handicraft or a Coquille Artwork, or both.
 5. “Tribal Administration” means the arm of Tribal government that exercises the Tribal Council’s executive power delegated to the Tribal Executive Director. Tribal Administration includes the Tribal Executive Director and Tribal employees the Executive Director authorizes to carry out duly adopted regulations for enforcement of this ordinance and development of the permitting program described in CITC 250.400.

250.300 Disclaimer

1. A Tribal designation of a product as Coquille Crafted does not constitute an endorsement of a product’s, value, quality, safety, fitness for particular purpose, or any other character other than its status as having been Coquille Crafted.
2. A Tribal designation of a product as Coquille Crafted does not authorize the sale of that product at any particular location.

250.400 Designation of Items

The Coquille Indian Tribe may issue permits to Coquille Tribal members to participate in this Program. Permits may be used only to designate Coquille Crafted Items, and will authorize permit holders only to use identification hang tags or labels produced by the Tribal Administration. The Tribal Administration will designate an employee responsible to perform the duties of this section. The form of permit to be used will be substantially similar to the one set forth in Exhibit A, attached to this Ordinance.

1. A complete application, including supporting documents must be submitted to the Tribal Administration to receive a permit to use the Coquille Crafted identification label or hang tag. The Tribal Administration will review applications for eligibility within 15 days from the date of receipt of a completed application. If the applicant is eligible, a nontransferable permit and fifty Coquille Crafted hang tags and/or labels will be issued. Labels and hang tags must display the official Coquille Crafted logo set forth in CITC 250.900. The permit is valid for two years from the date the permit is issued and may be renewed by submitting a completed permit renewal application within thirty days of the end of the two-year period.
2. An applicant must certify that the applicant will

Coquille Indian Tribal Code
Chapter 250
Coquille Crafted Ordinance

-
- a. Affix the Coquille Crafted identification only on a Coquille Crafted Item; and
 - b. Not transfer the permit to any other person; and
 - c. Use the Coquille Crafted identification tags only while his or her permit is in effect.
3. A permit holder may use the representation of the Coquille Crafted identification in catalogs, letterhead, business cards, in-store, and other advertising, and for other similar purposes related to the permit holder's marketing of Coquille Crafted Items. However, the Coquille Crafted logo must not be:
- a. Used in a false or misleading manner
 - b. Modified
 - c. Incorporated into a business, company, or product logo or label.
 - d. Sold as art or as a dominant feature of a handicraft unless approved by the Coquille Indian Tribal Council in writing.
4. On request, the Tribe will provide a permit holder with additional tags beyond the original 50 issued with the permit. provided to.
5. The Coquille Indian Tribe, Coquille Indian Housing Authority, Coquille Economic Development Corporation and the Nasomah Health Group, and any other entity owned by the Tribe is authorized to use the Coquille Crafted logo for the exclusive purposes of marketing Coquille Crafted Indian Items.
6. The Tribal Council authorizes the Tribal Administration to adopt and enforce any regulations necessary to give this ordinance full force and effect.

250.450 Identification of Coquille Crafted Items

1. Items sold with the Coquille Crafted label or hang tag must include a statement substantially similar to the following:

This is a Coquille Crafted Item.

The Coquille Indian Tribe's permitting of this product's maker does not, in any way, endorse this product's value, quality safety, fitness for particular purpose, or any other character of the product, other than its status as Coquille Crafted.

2. The Tribal Council must approve all imagery used in the Coquille Crafted program, including all labels and hang tags.

Coquille Indian Tribal Code

Chapter 250

Coquille Crafted Ordinance

250.500 Exemption.

This Ordinance shall not apply to items sold before its date of adoption.

250.600 Creation of Civil Violations of Unauthorized Sale of Coquille Crafted Item

The Tribe has adopted a Civil Violations Ordinance at CITC Chapter 650. It shall be a civil violation Under CITC 650 for a person to

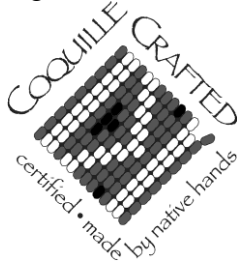
1. Sell any item using the Coquille Crafted label or hang tag without a valid permit.
2. Transfer a Coquille Crafted permit to any other person, regardless of the transferee's Tribal affiliation.
3. Knowingly or willfully affixing the Coquille Crafted label or hang tag to an item that is not a Coquille Crafted Item.
4. Knowingly or willfully using the Coquille Crafted label to sell something other than a Coquille Crafted Item.

250.800 Revocation of Permit

The Tribal Administration may revoke a permit issued under this chapter if, after notice and a hearing, the Tribal Administration finds that permit holder has violated any provision of this Chapter, or any provision of regulations adopted under this Chapter. By duly adopted regulations, the Tribal Executive Director may delegate this authority to a hearing panel, which may include the Tribal Culture Committee.

250.900 Coquille Crafted Logo

Below is the official Coquille Crafted logo that must be displayed on all labels and hang tags used in the Coquille Crafted Program.



Coquille Indian Tribal Code
Chapter 250
Coquille Crafted Ordinance

Exhibit A

Form of Permit

This permit is issued to Coquille Tribal member [NAME] (the “Permittee”), date of birth [DOB], Tribal enrollment number [#] for the purpose of authorizing the Permittee to participate in the Coquille Crafted program as described in CITC Chapter 250 and all regulations authorized by that chapter.

This permit expires on _____, 20____.

When the Tribe issues this permit, it will provide Permittee with up to fifty Coquille Crafted labels or hang tags.

This permit may be revoked for any violation of the Coquille Crafted Ordinance or any regulations authorized by CITC Chapter 250.

It shall be a civil violation under the Tribal Civil Violations Ordinance for a person to:

1. Sell any item using the Coquille Crafted label or hang tag without a valid permit.
2. Transfer a Coquille Crafted permit to any other person, regardless of the transferee’s Tribal affiliation.
3. Knowingly or willfully affixing the Coquille Crafted label or hang tag to an item that is not a Coquille Crafted Item.
4. Knowingly or willfully using the Coquille Crafted label to sell something other than a Coquille Crafted Item.

Permittee acknowledges and consents to the jurisdiction of the Coquille Indian Tribe and the Coquille Indian Tribal Court over Permittee for all permit-related activities, including the above listed civil violations, during the period of this permit.

Issued this _____ day of _____, 200_____

Coquille Tribal Member Services

Accepted this _____ day of _____, 200_____

Permittee

Coquille Indian Tribal Code
Chapter 250
Coquille Crafted Ordinance

History of Amendments to Chapter 250 Coquille Crafted Ordinance:

Approved February 18, 2006

Adopted July 22, 2006

Amended October 28, 2006

Adopted August 9, 2007

Approved July 26, 2018 CY18074

Adopted September 13, 2018 CY18093