

TABLED

Cherokee Council House
Cherokee, North Carolina

APR 08 2010

Date

ORDINANCE NO. 274 (2010)

WHEREAS, Chapter 117 of the Cherokee Code addresses Tribal Government; and

WHEREAS, Section 117-38 addresses form of ordinances submitted to Tribal Council
; and

WHEREAS, the tribe supports the revitalization and preservation of the Cherokee
language; and

WHEREAS, it is beneficial for a student of the Cherokee language to hear and read the
language simultaneously; and

WHEREAS, Resolution 202 (2010) mandates that, at a minimum, a summary of all
ordinances and resolutions be interpreted in the Cherokee language during
Tribal Council; and

WHEREAS, the Cherokee interpretation of each ordinance and resolution should be
written in Cherokee syllabary and be contained within the body of each
document so as to be included in the permanent filing process; and

WHEREAS, these documents should be make available for use by students of the
Cherokee language for educational research and study and should be
available at the Cherokee Central Schools Library and the Qualla
Boundary Public Library in visual and oral form; and

WHEREAS, to ensure that these English-Cherokee documents would then be available
for archival purposes for future generations, the Cherokee Code should be
amended to include a written summary in Cherokee syllabary on all
proposed ordinances and resolutions presented to Tribal Council.

(3) ("O'V JIALO F461 ...") S A d e d i h s o i o t e g o d i
T i s f o i d y i a r . s u o .;

(4) DFW හෙමල ඩි ප්‍රේමය මර්ග මා;

[illegible][illegible]

(7) FV OUKAE OZPWOY OCO OEOGA DOLNL IOTGOMAI DO
ARJUCOI TGPOMVI FRT DO OLO DFBFR DFWHOLCO DMO FRT;

(8) **DFW**ହାତ୍ତ୍ୱ ଲଠିଗଞ୍ଜା ଚଢ଼ାଉର **SVI** ଚଢ଼ାଉ, ଚଢ଼ାଉ, **ଡ଼**
ଡ଼ହା ଡ଼.

(e) DFWH&LO IDtG&OI DBF OVR&T SH&I JH&OL JHZGL O
FY OYLF A&F A&OI JHG B OHA&I DO OH&AV.

[illegible][illegible]

பொது சமூக நலத் துறை அமைச்சர்

NOW, THEREFORE, BE IT ORDAINED by the Eastern Band of Cherokee Indians in Tribal Council Assembled, at which a quorum is present that the Tribal Council of the Eastern Band of Cherokee Indians does hereby amend the Cherokee Code to read as follows:

Chapter 117 TRIBAL GOVERNMENT

Sec. 117-38. Legislative reading ordinance; form of ordinances.

- (a) No ordinance enacted by the Tribal Council shall be valid unless it has been introduced in compliance with subsection (b) at a regular or special session not less than 25 calendar days prior to the day the ordinance has been voted upon by the Council.
- (b) All ordinances proposed to be considered by the Tribal Council shall be either placed on the agenda by the Clerk or introduced by the Principal Chief as emergency legislation. The Clerk shall assign the ordinance a number and read the ordinance into the record. By majority vote, the Tribal Council may waive the reading requirement and deem the ordinance read into the record. After the reading of the ordinance, the Council may discuss the proposed ordinance but no member may propose any motion or amendment to the ordinance at the first reading. At the conclusion of discussion the Chair shall automatically table the ordinance and either assign the ordinance to a Committee for further investigation or study or direct that the ordinance be placed on the agenda at the next scheduled Council session that is not less than 25 calendar days after the first reading.
- (c) All ordinances appearing on the Council agenda for the second time, after the required 25-day waiting period, may be brought to the floor for consideration, debate, motions, amendments and passage.
- (d) All proposed ordinances shall be drafted to include:
 - (1) A background ("whereas") section describing the history of the issue, prior ordinances and resolutions related to the matter, and the need or reason for the proposed ordinance or amendment;
 - (2) A written summary in Cherokee syllabary;
 - (23) Language to enact the proposed ordinance or amendment ("now therefore be it ordained . . .");
 - (34) The proposed ordinance;
 - (45) When an amendment is proposed, it shall include the Cherokee Code section number of the existing ordinance, the existing language of the section(s) proposed to be amended, and enough of the existing

ordinance as is necessary to understand the context of the proposed change, with proposed additions underlined and proposed deletions stricken through;

(56) A clause rescinding all prior resolutions and ordinances that are inconsistent with the proposed ordinance or amendment;

(67) A clause stating that the ordinance or amendment is to be effective upon ratification by the Principal Chief, or at some other proposed time; and

(78) The name of the program, enterprise, committee, or person submitting the proposed ordinance.

(e) The proposed ordinance shall be published by the Tribal Operations Program (TOP) in the Cherokee One Feather for public review and comment.

(f) No cover resolution shall be submitted. The Tribal Council may, in its discretion, consider resolutions that are not in this form when there is an urgent need and there is not sufficient time to withdraw and redraft the ordinance, provided that the proposed ordinance or amendment is clear.

BE IT FINALLY ORDAINED that all ordinances inconsistent with this ordinance are rescinded, and that this ordinance shall become effective when ratified by the Principal Chief.

Submitted by: Office of the Attorney General at the request of Marie Junaluska