

TABLED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

DATE: JAN 10 2019

ORDINANCE NO. 452 (2019)

WHEREAS, ginseng is an important and valuable resource which is being rapidly depleted on Tribal Trust Land; and

WHEREAS, Tribal Council has become aware that some individuals are trespassing onto the possessory holdings of other Tribal members and stealing ginseng growing on the holding; and

WHEREAS, Cherokee Code Chapter 14 is hereby amended to prohibit the stealing ginseng from the property of another.

NOW THEREFORE BE IT ORDAINED by the Tribal Council of the Eastern Band of Cherokee Indians assembled, at which a quorum is present, that Cherokee Code Chapter 14 shall be amended to read as follows:

Chapter 14 – Criminal Law
Article 3 – Property Crimes

Sec. 14-10.66. Larceny of ginseng.

It shall be unlawful for any person to take and carry away, or aid in taking or carrying away, any ginseng growing upon the lands of another person, with intent to steal the same. A person found guilty of this crime shall be punished by a maximum term of imprisonment of up to 3 years or fined up to \$15,000.00 or both.

BE IT FINALLY ORDAINED that all ordinances that are inconsistent with this ordinance are rescinded, and that this ordinance shall become effective when ratified by the Principal Chief.

Submitted by the Office of the Attorney General