

TABLED

Cherokee Council House
Cherokee, North Carolina
AUG 06 2020

Date

ORDINANCE NO. 233 (2020)

WHEREAS, the Charter and Governing Document authorizes and empowers the Eastern Band of Cherokee Indians (EBCI) Tribal Council to adopt laws and regulations for the general government of the Tribe. Charter and Governing Document, sect. 23 (Sept. 5, 1995) *see also* C.C. §117-10.

WHEREAS, the Charter and Governing Document established the Tribal Council Chairman and Vice-Chairman which are elected by other Tribal Council members. Charter and Governing Document, sect. 11.

WHEREAS, the Cherokee Code further defined the Chairman and Vice-Chairman's roles. C.C. §117-14.

WHEREAS, as Tribal Council leaders, the Chairman and Vice-Chairman are invited to meetings without an invitation extended to the remainder Tribal Council members; and,

WHEREAS, to ensure all information and knowledge learned during these meetings are shared with the remaining Council members in a timely fashion, there needs to be a reporting time requirement.

NOW, THEREFORE, BE IT ORDAINED by the Eastern Band of Cherokee Indians in Council assembled, at which a quorum is present that the Eastern Band of Cherokee Indians Tribal Council amends the Cherokee Code Ch. 117, as follows in EXHIBIT A.

BE IT FURTHER ORDAINED the provisions of the Ordinance which amend or adopt new sections of the Cherokee Code shall be codified by the Department of Justice. The Department of Justice shall incorporate such amended provisions in the next codification of the Cherokee Code.

BE IT STILL FURTHER ORDAINED should any provision of this Ordinance be determined invalid by the Cherokee Supreme Court, or the Cherokee Court without appeal to the Cherokee Supreme Court, or any other court of competent jurisdiction, those portions of this Ordinance which are not determined invalid shall remain the law of the Eastern Band of Cherokee Indians

BE IT FINALLY ORDAINED that this ordinance shall become effective when ratified.

Submitted by: Chelsea Saunooke, Wolfstown/Big Y Representative

Cherokee Code

Chapter 117 – TRIBAL GOVERNMENT

ARTICLE II. – LEGISLATIVE BRANCH

Sec. 117-14. – Chairman and Vice-Chairman.

The Council shall elect a Chairman and Vice-Chairman from their membership who shall also serve on the Business and Credit Committees. The Chairman shall be entitled to vote on all issues. In the event of the death, resignation, removal or vacancy of the Chairman, the Vice-Chairman shall serve as Chairman and a new Vice-Chairman shall then be elected or appointed by the Tribal Council.

The Tribal Council Chairman and Vice-Chairman shall provide Tribal Council a written report within three calendar days, when attending meetings that remaining Council Members cannot attend.
