

**TABLED**

Cherokee Council House  
Cherokee, North Carolina

**SEP 03 2020**

Date

ORDINANCE NO. 260 (2020)

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

WHEREAS, the Charter and Governing Document states "No money shall be paid out except upon warrant of the Principal Chief as authorized by an act of the Council." Charter and Governing Document, sect. 20 (Sept. 5, 1995).

WHEREAS, the EBCI Tribal Council constitutes the Eastern Band of Cherokee Indian's Legislative Branch of government. C.C. §117-10.

WHEREAS, Tribal Council adopted the Balanced Budget Act in 2003. Eastern Band of Cherokee Indians Tribal Council Resolution No. 815 (2003).

WHEREAS, since 2003 the Tribal government's budget's grown as well as Tribal Council's fiduciary responsibility.

WHEREAS, Tribal Council having more timely financial reports is imperative to assisting Council making informed decisions.

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 Chapter 117-47, EXHIBIT A.

BE IT FURTHER ORDAINED that the provisions of this Article are declared to be severable and if any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by the Cherokee Court, it shall not affect the remainder of the Article which shall continue in full force and effect.

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BE IT FINALLY ORDAINED that all ordinances inconsistent with this ordinance are rescinded, and that this ordinance shall become effective when ratified by the Principal Chief.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

## Cherokee Code

## Chapter 117 – TRIBAL GOVERNMENT

## ARTICLE IV. - MISCELLANEOUS

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**Sec. 117-47. – Balanced budget act.**

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(d) ~~Executive director/ Secretary or chairman quarterly reports.~~ The ~~executive directors/ secretary or chairmen~~ of each tribal division, commission and enterprise shall provide to the Principal Chief and Tribal Council, orally and in writing, a quarterly report consisting of a budget- to-actual summary comparison of revenues and expenses within their division, commission and enterprise ~~(including for each program)~~. The report shall be presented every six months. For the six-month period ending March 31, reports are due on or before June 15. For the six-month period ending September 30, reports are due on or before January 15. The quarters shall be: first quarter October to December, second quarter January to March, third quarter April to June, and fourth quarter July to September. The secretary or chairman shall submit their quarterly report on or before the first Friday following the close of the quarter. The end of the fiscal year close out shall be on or before October 31. The secretary or chairman shall submit a written end of the fiscal year report to Tribal Council on or before the first Friday in November. The Tribal Council shall meet on the end of the fiscal year report the second Wednesday in November. ~~Within 30 days of the date on which the reports are due, the Principal Chief shall present to Tribal Council a written report summary for each division, commission and enterprise.~~