

TABLED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: JAN 14 2021

ORDINANCE NO. 3165 (2020)

An ordinance to amend C.C. § 120-4 to express how long Commissioners may serve on the Cherokee Police Commission and how vacancies are filled.

WHEREAS, the Cherokee Police Commission is established in Cherokee Code (C.C.) Chapter 120; and

WHEREAS, C.C. §120-4 governs Commission membership and requires that the Commission have eight members, two of whom are "at-large" members, and six of whom represent their respective Tribal townships. Each member must be nominated by the Principal Chief and approved by Tribal Council; and

WHEREAS, the ordinance does not express the duration of the Commissioners' terms or how vacancies on the Commission are filled, and the ordinance should be amended to address these matters.

NOW THEREFORE BE IT ORDAINED by the Eastern Band of Cherokee Indians in Tribal Council assembled, at which a quorum is present, that

Sec. 120-4. - Commission membership.

(a) Nominations to serve on the Cherokee Police Commission are made by the Principal Chief. Tribal Council approves membership appointments and the Commission's annual work plan. The Commission shall consist of eight members, six of whom shall be members representing the six Tribal townships of the Eastern Band of Cherokee Indians, the other two representing one "at large" male and one "at large" female.

(b) Unless a shorter term is expressed in the appointing resolution, a Commissioner's term shall be three years. Successive and multiple terms are allowed but in no case shall a Commissioner serve more than six years on the Commission. Vacancies shall be filled within ninety-days of the event causing the vacancy and vacancies shall be filled in the same manner as original appointments are made. To the extent possible, appointments shall be made to stagger the terms of the Commissioner. Commissioners may be removed from office by the nominating authority for just cause, as recommended by a majority vote of the Police Commissioners.

BE IT FINALLY ORDAINED that all ordinances that are inconsistent with this ordinance are rescinded, and that this ordinance shall become effective when ratified by the Principal Chief.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