

TABLED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

MAY 05 2022

DATE

ORDINANCE NO. 263 (2022)

- WHEREAS, the Eastern Band of Cherokee Indians established the Tribal Employment Rights Office (hereinafter TERO), under Cherokee Code Section 92-2, to promote growth and increase contracting opportunities for Native American owned businesses; and
- WHEREAS, it has been determined by the Tribal Employment Rights Commission (hereinafter TERC) that amendments must be made to Cherokee Code Chapter 92-18, *Application and fees*, to remove the application fee for craft vendors; and
- WHEREAS, current Cherokee Code sec. 92-18(C) and sec. 92-18(D), require craft vendors to pay new certification and recertification fees; and
- WHEREAS, there is a need to amend Cherokee Code sec. 92-18(C) and sec. 92-18(D) to remove the required certification fees to improve TERO participation by craft vendors; and
- WHEREAS, the amendment will address the low craft vendor participation by removing financial obstacles for indigenous artists who cannot pay the required fees.

THEREFORE, BE IT ORDAINED, by the Eastern Band of Cherokee Indians, in Tribal Council assembled, at which a quorum is present, that Cherokee Code Chapter 92, Art. VI, Sec. 92-18(C), and Cherokee Code Chapter 92, Art. IV, Sec. 92-18(D), shall be amended to read as follows.

BE IT FURTHER ORDAINED that all ordinances or resolutions that are inconsistent with this ordinance are hereby rescinded.

BE IT FINALLY ORDAINED that this ordinance shall become effective upon ratification by the Principal Chief.

Submitted by the Tribal Employment Rights (TERC).

Sec. 92-18. Applications and fees.

- (a) Applications for certification shall be presented in a form prescribed by the Commission.
 - (b) Applicants shall pay an application fee of \$100.00 for each trade for which they want to be newly certified. If and when an applicant is approved, the vendor shall pay a subsequent \$100.00 certification fee.
 - ~~(c)~~ Applicants applying to be certified as craft vendors shall pay a fee of ~~\$20.00~~ for new certification in that trade.
 - ~~(d)~~(c) Applicants for re-certification shall pay a fee of \$175.00 for each trade for which they want to be re-certified. Certified craft vendors applying to be re-certified shall pay a fee of ~~\$15.00~~ for recertification in that field.
 - ~~(e)~~(d) Application fees are not refundable.
 - ~~(f)~~(e) Applications made under this Chapter are continuing applications and the applicant is responsible for notifying the Commission of changes that may affect the applicant's ability to become or remain certified.
 - ~~(g)~~(f) If the business or a principal of the business has had its certification removed in the past, the application fee is \$500.00.
 - ~~(h)~~(g) General contractors shall pay a fee of \$500.00 for certification annually.
 - ~~(i)~~(h) All fees shall be paid directly to the TERO budget.
- (Ord. No. 280, 4-29-2002; Ord. No. 562, 4-25-2011; Ord. No. 290, 8-4-2016)