

TABLED

CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA  
MAY 05 2022

DATE

ORDINANCE NO 264 (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 92-17, *Certification of craft vendors and tribal programs*, to remove the term "craft vendors" and replace it with "artisans"; and
- WHEREAS, current Cherokee Code Section 92-17, refer to indigenous artists as craft vendors: and
- WHEREAS, there is a need to amend Cherokee Code Section 92-17 to refer to indigenous artists as "artisans"; and
- WHEREAS, the amendment will address our tribal artists with a term representative of their talent and contributions to our culture; and
- WHEREAS, it has also been determined by the Tribal Employment Rights Commission (hereinafter TERC) that amendments must be made to Cherokee Code Chapter 92-17A, *Certification of Cherokee stone masons and native stone providers*, to remove problematic and conflicting provisions from Chapter 92; and
- WHEREAS, current Cherokee Code Section 92-17A, conflicts with current sec. 143-6(k). - Building code; and
- WHEREAS, there is a need to strike Cherokee Code Section 92-17A in its entirety to avoid any future conflict with sec. 143-6(k); and
- WHEREAS, the amendment will allow for clear guidance and efficient enforcement of sec. 143-6(k) for native stone providers and stone masons.
- 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. III, Sec. 92-17, and Cherokee Code Chapter 92, Art. III, Sec.92-17A, 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- BE IT FURTHER ORDAINED that all ordinances or resolutions that are inconsistent with this ordinance are hereby rescinded.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. 92-17. Certification of ~~craft vendors~~ artisans and tribal programs.**

- (a) Crafters ("~~craft vendors~~") are Artisans shall be exempt from tribal business license certification requirements of this Article.
- (b) Tribal programs and entities shall not be certified under this Chapter.  
(Ord. No. 280, 4-29-2002; Ord. No. 627, 5-7-05; Ord. No. 562, 4-25-2011)

**~~Sec. 92-17A. Certification of Cherokee stone masons and native stone providers.~~**

- ~~(a) For certification, a Cherokee stone mason must provide:
  - ~~(1) An Eastern Band of Cherokee Indian enrollment card; and~~
  - ~~(2) A portfolio of previous work showing skill of Cherokee stone masonry.~~~~
- ~~(b) For certification, a native stone provider must show
  - ~~(1) Proof that stone supply originated directly from rock bars located on lands held in trust for the Eastern Band of Cherokee Indians;~~
  - ~~(2) Proof that adequate supplies of native stone can be supplied to meet scheduling requirements of the project in question;~~
  - ~~(3) Proof that the native stone is competitive in kind, quality and price when compared to stone from sources off the EBCI lands.~~~~

~~(Ord. No. 528, 6-13-2013)~~

~~Editor's note(s) — Ord. No. 528, adopted June 13, 2013, amended the Code by adding a new section numbered 92-18. In order to prevent duplication of section numbers, the section has been renumbered as 92-17A at the discretion of the editor.~~