

TABLED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: JUN 02 2022

ORDINANCE NO.: 304 (2022)

An ordinance to require persons renting accommodations to a guest for more than 30 consecutive days to report certain information to the Cherokee Indian Police Department.

WHEREAS, the Eastern Band of Cherokee Indians is duly authorized to establish and regulate the possession and use of its land under its sovereign powers as a federally recognized Indian Tribe; and

WHEREAS, Chapter 47B of the Cherokee Code governs the possession, occupancy and use of Tribal trust land and interests therein; and

WHEREAS, Tribal law prohibits long term camping, but there are no restrictions on long term rental or any way to know who is living long-term in a campground or RV park or other place of accommodation; and

WHEREAS, our community needs to know who is living among us and whether they present a potential threat to the safety, health and welfare of our Tribal citizens; and

WHEREAS, C.C. Chapter 47B should be amended to add a new section requiring the reporting of certain information regarding long-term occupancies to the Cherokee Indian Police Department.

NOW THEREFORE BE IT ORDAINED, by the Tribal Council of the Eastern Band of Cherokee Indians, in council assembled at which a quorum is present, that a new section C.C. § 47B-12 shall be added to C.C. Chapter 47B, to read as follows:

Sec. 47B-12. – Notice required for long-term occupancy.

(a) Any inn, hotel, motel, recreational vehicle park, campground, or similar lodging that rents or provides accommodation to the same guest or occupant for a long-term occupancy shall be required to provide written notice to the Cherokee Indian Police Department of the following information regarding the guest:

- (1) Full name, sex, date of birth, telephone number and home address and mailing address of the guest.
- (2) A copy of the guest's driver's license or government issued photo identification.
- (3) The last four digits of the guest's social security number.
- (4) Information as to whether the guest is on a list of registered sex offenders for lists maintained by the Cherokee Indian Police Department or the State of North

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- (b) The Cherokee Indian Police Department shall maintain and use such information for legitimate law enforcement purposes.
- (c) Any business or person providing accommodations for a long-term occupancy shall be required to obtain a Tribal business license for such activity.
- (d) Violation of this section shall be an infraction punishable by a fine not to exceed \$500.00, and may result in administrative action regarding the holder of the business license.
- (e) For the purposes of this section, a "long-term occupancy" is the rental of an accommodation by an inn, hotel, motel, recreational vehicle park, campground, or similar lodging to the same guest or occupant for more than 30 consecutive days.

BE IT FINALLY ORDAINED, that all ordinances and resolutions inconsistent with this ordinance are rescinded, and this ordinance shall become effective upon ratification by the Principal Chief.

Submitted by Terri Taylor.