

TABLED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA
JUN 01 2023
DATE

ORDINANCE NO. 622 (2023)

WHEREAS, the Charter and Governing Document authorizes and empowers the Eastern Band of Cherokee Indians (EBCI) Tribal Council to adopt laws and regulations for the general government of the Tribe. Charter and Governing Document, sect. 23 (Sept. 5, 1995) see also CC § 177-10

WHEREAS, Tribal Council recently enacted Cherokee Code Chapter 17, Article III-A which established a confirmation process, and;

WHEREAS, currently there have been questions and issues as to which Boards, Commissions and Committees must be confirmed, and,

WHEREAS, there is a need to clarify the boards, Commissions and Committees that must go through this confirmation process so that Tribal Council is fair and issuing hearings consistently across the board

NOW THEREFORE BE IT ORDAINED by the Tribal Council of the Eastern Band of Cherokee Indians in Tribal Council assembled at which a quorum is present that Tribal Council amends Cherokee Code Chapter 117 § 117-44.1 as listed in the attached EXHIBIT A,

BE IT STILL FURTHER ORDAINED that ordinances provisions that 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 STILL FURTHER ORDAINED should any provision of this ordinance be determined invalid by the Cherokee Supreme Court or the Cherokee Court without appeal to the Cherokee Supreme Court or any other court of competent jurisdiction those portions of this ordinance which are not determined invalid shall remain the law of the Eastern Band of Cherokee Indians

BE IT FINALLY ORDAINED that any resolution or ordinance in conflict are rescinded and that this ordinance shall become effective upon ratification by the Principal Chief

Submitted by: Adam Wachacha, Snowbird/Cherokee County Representative