

TABLED

CHEROKEE COUNCIL HOUSE CHEROKEE, NORTH CAROLINA

Date: OCT 16 2026

ORDINANCE NO. 333 (2026)

An ordinance to provide that only EBCI enrolled members or their businesses may sell hemp products on the Qualla Boundary.

WHEREAS, the Eastern Band of Cherokee Indians has established in Cherokee Code Chapters 14, 17, and 17A, and in Title 17 of the Cherokee Administrative Regulations, laws and regulations governing the licensing, cultivation, processing, sale, and other activities involving cannabis, including hemp and hemp products; and

WHEREAS, multiple businesses on EBCI trust lands sell hemp and hemp products, and some of the businesses are owned and/or operated by enrolled members of the EBCI and some are owned and/or operated by non-members; and

WHEREAS, several businesses that sell CBD products have violated Tribal law, for instance, by selling the products to minors, selling prohibited intoxicating hemp products, and violating the regulations issued by the EBCI Cannabis Control Board; and

WHEREAS, the majority of these violations have occurred at businesses that are owned and/or operated by persons who are not enrolled members of the EBCI; and

WHEREAS, the businesses that violate Tribal law are harmful and detrimental to the health, safety, and welfare of the Tribal community; and

WHEREAS, the Tribe should amend its laws to provide that only EBCI enrolled members, or businesses owned or operated by EBCI enrolled members, may sell CBD products on Tribal trust lands.

NOW THEREFORE BE IT ORDAINED by the Eastern Band of Cherokee Indians in Annual Council assembled, at which a quorum is present, that Cherokee Code Chapter 17A-4 shall be amended to read as follows:

Sec. 17A-4. - Hemp store licenses.

- (a) A person shall not engage in the business of a hemp store unless the person holds a hemp store license issued by the Board. The Board is the sole issuer of hemp store licenses. Operating a hemp store without the applicable cannabis facility license issued by the Board is unlawful.
- (b) A person who wishes to engage in the business of a hemp store must submit to the Board an application as prescribed by the Board.

- 1 (c) Any hemp store license is a revocable privilege and the holder of such a license does not
2 acquire any vested right in such license. A hemp store license is not a substitute for a Tribal
3 business license. Hemp store licensees must abide by all applicable Tribal laws, rules, and
4 regulations at all times. Licenses are non-transferable, except as otherwise provided by
5 regulations issued by the Board for the transfer of a license to another person or entity who
6 is qualified to hold a license pursuant to this chapter.
- 7 (d) Hemp store licenses may only be issued to enrolled members, businesses wholly-owned by
8 the enrolled members, or businesses wholly-owned by the Tribe.
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10 BE IT FURTHER ORDAINED, that the hemp retail licenses currently issued to non-enrolled
11 persons and business shall remain valid for the time period for which they were
12 issued, but may not be extended or lengthened past their expiration date; and
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14 BE IT FURTHER ORDAINED, that the EBCI Cannabis Control Board shall amend its regulations
15 in conformity to this ordinance; and
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17 BE IT FINALLY ORDAINED that all ordinances that are inconsistent with this ordinance are
18 rescinded, and that this ordinance shall become effective when ratified by the
19 Principal Chief.
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22 *Submitted by EBCI enrolled member Rick Bird.*