

TABLED  
AMENDED  
PASSED  
SEP 14 2017

Cherokee Council House  
Cherokee, North Carolina

AUG 03 2017

Date

ORDINANCE NO. 682(2017)

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* C.C. §117-10.

WHEREAS, the EBCI Tribal Council constitutes the EBCI's Legislative Branch of government. C.C. §117-10.

WHEREAS, Cherokee Code, Chapter 113 governs hunting and fishing on tribal trust lands.

WHEREAS, EBCI enrolled members may fish with a tribal enrollment card free of charge. C.C. §113-4 (c).

WHEREAS, there are federally recognized tribal members who reside in UNITY or the Cherokee Children's Home.

WHEREAS, the EBCI wants to extend this courtesy to the children who reside in UNITY or the Cherokee Children's Home and their counselors.

NOW, THEREFORE, BE IT ORDAINED by the Eastern Band of Cherokee Indians in Tribal Council assembled, at which a quorum is present that the Tribal Council of the Eastern Band of Cherokee Indians amends Cherokee Code, ch. 113, Fishing and Hunting, as follows in EXHIBIT A.

BE IT FURTHER ORDAINED the provisions of the Ordinance 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BE IT FINALLY ORDAINED that all ordinances inconsistent with this ordinance are rescinded, and that this ordinance shall become effective when ratified by the Principal Chief or Vice-Chief. Charter and Governing Document, sect. 12 (Oct. 8, 1986).

*Submitted by: Adam Wachacha, Snowbird/Cherokee Co. Representative  
Jonah Bird, NRE Officer*

**Amendment to Ord. 682 (2017): In Section 113-4 d (1) strike, “Fish and Wildlife Management Program Director,” and replace with, “Natural Resource Manager.”**

**Cherokee Code**  
**Chapter 113 – HUNTING AND FISHING**  
**ARTICLE I. – IN GENERAL**

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**Sec. 113-4. – Licenses and permits.**

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*Fishing permits*

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(d) ~~Special permits: Special fishing permits are available for persons meeting specific criteria and shall only be issued through the Fisheries and Wildlife Management Office. These special permits will be issued by the Fish and Wildlife Management Program Manager and/or his designee upon verification and documentation of the enrolled member's Tribal enrollment card/number.~~

(1) Special fishing permits are available for persons meeting specific criteria and shall only be issued through the Fisheries and Wildlife Management Office. These special permits will be issued by the Fish and Wildlife Management Program Manager and/or his designee upon verification and documentation of the enrolled member's Tribal enrollment card/number.

(2) Unity and Cherokee Children's Home residents and staff.

(A) The Fish and Wildlife Program Manager shall issue special fishing permits to Unity and Cherokee Children's Home residents and staff when they are on a program sponsored outing.

(B) Neither the residents nor the staff shall be required to purchase a Tribal fishing permit.

(C) Once the resident leaves the or the staff individual is no longer employed with their respective facility then those individual must purchase a Tribal fishing permit.

The attached Resolution/Ordinance No. 682 dated September 14, 2017 was:

**PASSED ( X )**

**KILLED ( )**

and ratified in open Council on September 14, 2017 by 88 voting for the act  
and 0 members voting against it as follows:

<b>VOTE</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Teresa McCoy	X			
Richard French	X			
Travis Smith	X			
B Ensley	X			
Anita Lossiah	X			
Brandon Jones	X			
Bill Taylor	X			
Bo Crowe	X			
Adam Wachacha	X			
Albert Rose				X
Marie Junaluska	X			
Tommye Saunooke	X			
	88	0	0	12

  
\_\_\_\_\_  
TRIBAL COUNCIL CHAIRMAN

  
\_\_\_\_\_  
ENGLISH CLERK

  
\_\_\_\_\_  
PRINCIPAL CHIEF

APPROVED ☒ VETOED ( )

VETO UPHELD ( ) VETO DENIED ( )

DATE: 9/28/17

I hereby certify that the foregoing act of the Council was duly:

**PASSED ( )**

**KILLED ( )**

and ratified in open Council after the same has been interpreted by the Official Interpreter and  
has been fully and freely discussed.

\_\_\_\_\_  
INTERPRETED ( )

\_\_\_\_\_  
OMITTED ( )