

TABLED
PASSED
JAN 04 2018

Cherokee Council House
Cherokee, North Carolina

DEC 07 2017
Date

ORDINANCE NO. 57 (2017)

WHEREAS, Chapter 113 of the Cherokee Code governs hunting and fishing on tribal trust lands within the jurisdiction of the Eastern Band of Cherokee Indians (EBCI); and

WHEREAS, the Natural Resources program is responsible for updating and drafting fishing regulations to ensure the EBCI continues to produce a high quality and economically productive fishing program

WHEREAS, to better manage tribal enterprise waters, Chapter 113 – Hunting and Fishing, should be amended to close fishing to both enrolled and non-enrolled members on catch and keep waters two weeks prior to the opening day; and

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 does hereby amend the Cherokee Code to read as follows.

Chapter 113 – DIVISION OF AGRICULTURE AND NATURAL RESOURCES

ARTICLE I. – ESTABLISHMENT OF THE DIVISION OF AGRICULTURE AND NATURAL RESOURCES

Sec. 113-4. - Licenses and permits.

Fishing permits

(a)

Opening day of the fishing season on catch and keep enterprise waters shall be the last Saturday in March and the season shall be closed to fishing by enrolled members and non-enrolled members two weeks prior to this date. The catch and release fishing areas shall be open year round with no closed season.

(b)

All persons fishing within waters of Cherokee Indian trust lands must possess and have on their person while engaged in fishing, a valid Tribal fishing permit. An enrolled member's enrollment card shall serve as his/her fishing permit.

(c)

Enrolled members of the Eastern Band of Cherokee Indians shall fish with an enrollment card from the Eastern Band of Cherokee Indians.

(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.

BE IT FINALLY ORDAINED that all ordinances inconsistent with this resolution are rescinded, and that this ordinance shall become effective when ratified by the Principal Chief.

Submitted by: Natural Resources Program

The attached Resolution/Ordinance No. 57 dated DECEMBER 7, 2017 was:

PASSED (X)

KILLED ()

and ratified in open Council on JANUARY 4, 2018 by 79 voting for the act and 0 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
Richard French		X		
Perry Shell		X		
Boyd Owle	X			
Bucky Brown	X			
Tom Wahneetah	X			
David Wolfe				X
Adam Wachacha	X			
Bo Crowe	X			
Jeremy Wilson	X			
Albert Rose	X			
Lisa Taylor	X			
Tommye Saunooke	X			
	79	14	0	7

TRIBAL COUNCIL CHAIRMAN

ENGLISH CLERK

PRINCIPAL CHIEF

APPROVED () VETOED ()

VETO UPHELD () VETO DENIED ()

DATE: 1/12/18

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 ()