

TABLED

CHEROKEE COUNCIL HOUSE  
CHEROKEE, NORTH CAROLINA

Date: FEB 07 2019

ORDINANCE NO. 484 (2019)

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WHEREAS, Cherokee Code § 61-4 prohibits certain events and activities within the Qualla Boundary, including the Tribe's Business Zone as defined in C.C. § 61-3; and

WHEREAS, the prohibited events and activities include motor vehicle gatherings for display or racing, and motor vehicle swap meets or rallies; and

WHEREAS, Resolution No. 9, which was passed by Tribal Council on October 13, 1997, purported to delete the prohibition in so far as it applied to motor vehicle rallies at the Ceremonial Grounds; and

WHEREAS, Resolution No. 9 (1997) stated "BE IT FINALLY RESOLVED that any and all resolutions that prevent motorcycles, or other vehicles, from holding rallies or events on the Ceremonial Grounds, are hereby rescinded"; and

WHEREAS, a resolution cannot be used to amend an ordinance, and since it became law C.C. § 61-4 has not been amended to reflect the Tribe's long-standing practice of allowing motor vehicle events and activities when they are sponsored or permitted by the Tribe; and

WHEREAS, Cherokee Code § 61-4 should be amended allow motor vehicle events and activities when they are approved by Tribal Council, sponsored by the Tribe or conducted under a permit issued by the Tribe.

NOW THEREFORE BE IT ORDAINED by the Eastern Band of Cherokee Indians in Tribal Council assembled, at which a quorum is present, that Cherokee Code § 61-4 shall be amended to read as follows:

**Sec. 61-4. - Prohibited events or activities.**

(a) Except as provided in subsection (c). ~~No~~ event or activity shall be ~~permitted~~ conducted within the Business Zone which shall sponsor the gathering of motorized vehicles for purpose of display or racing or events commonly referred to as "swap meets" or "rallies" or similar events under different names, at which motorized vehicles, parts or accessories are placed on display for view or sale ~~without specific approval of the Tribal Council in a Tribal Council session with a quorum present.~~

(b) Except as provided in subsection (c). ~~No~~ event or activity involving the gathering of motorized vehicles, their parts, or accessories for display, racing or sale shall be ~~permitted~~

