TABLED

ORDINANCE NO. 7I (2018)

WHEREAS,   Article 1 of Cherokee Code Chapter 117 governs the executive branch of Tribal government; and

WHEREAS,   Chapter 117 does not currently contain an express statement of authority for the establishment of mutual aid agreements with other political subdivisions, states and the federal government; and

WHEREAS,   mutual aid agreements are most commonly established for law enforcement purposes, emergency preparedness and response, and other public safety reasons; and

WHEREAS,   the Tribe has previously entered mutual aid agreements and they are consistently helpful and sometimes necessary to provide services for Tribal members and surrounding communities; and

WHEREAS,   Article 1 of Cherokee Code Chapter 117 should be amended to add a new section 117-6 to provide express authority for the Principal Chief to establish mutual aid agreements.

NOW THEREFORE BE IT ORDAINED by the Tribal Council of the Eastern Band of Cherokee Indians assembled, at which a quorum is present, that a new § 117-6 shall be added to Article 1 of Cherokee Code Chapter 117, to read as follows:

Sec. 117-6. Establishment of Mutual Aid Agreements.

(a)   The Principal Chief may establish mutual aid agreements with other Tribes, states, political subdivisions thereof, and with the federal government provided that any agreements so negotiated are within the Principal Chief's authority.

(b)   Mutual aid agreements may include, but are not limited to, the furnishing or exchange of such supplies, equipment, facilities, personnel, and services as may be needed; the reimbursement of costs and expenses for supplies, equipment, facilities, personnel, and services; and on such terms and conditions as deemed necessary.

BE IT FINALLY ORDAINED that all ordinances that are inconsistent with this ordinance are rescinded, and that this ordinance shall become effective when ratified by the Principal Chief.

Submitted by Chief Judge Thomas Cochran, Cherokee Court