

LUMBEE TRIBE OF NORTH CAROLINA

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ORDINANCE NO. 2006-000__

DATE: JUNE 15, 2006

WHEREAS, The Lumbee Tribe of North Carolina, a recognized American Indian Tribe of the State of North Carolina, subject to the Constitution of the Lumbee Tribe of North Carolina and its inherent powers of self-government;

WHEREAS, Article VII, Section 1 of the Constitution of the Lumbee Tribe of North Carolina delegates all legislative authority to the Tribal Council; and

THEREFORE, Be it enacted by the Tribal Council of the Lumbee Tribe of North Carolina the following ordinance that shall be cited as "**OFFICIAL TRIBAL SEAL.**"

SECTION 1: OFFICIAL SEAL

The seal of the Lumbee Tribe of North Carolina (Lumbee Tribe), which shall be the official seal of the tribal government, shall be used to represent the Lumbee Tribe and the tribal government.

SECTION 2: DESCRIPTION AND MEANING OF THE SEAL

1. Description of the Seal

- a. At the center of the seal shall be a medicine wheel. The medicine wheel shall be divided into quadrants by a horizontal and vertical line. The northeast quadrant shall be red in color, the southeast yellow, the southwest black and the northwest white.
- b. The outer edge of the medicine wheel shall consist of the Lumbee Pinecone Patchwork. The Pinecone Patchwork consists of three layers of black, red and yellow triangles that represent the pinecones of the Pine, which is the most prevalent and tallest growing tree in the land of the Lumbee. The top layer shall be black triangles, while the second is red triangles and the bottom yellow triangles. The red and yellow layers shall each be slightly rotated in a clockwise direction so as to not be directly beneath the previous layer.
- c. The medicine wheel shall be encircled by the words "Lumbee Tribe of North Carolina." The words "Lumbee Tribe" shall be centered above the northwest and northeast quadrants and shall flow in a clockwise direction. The words "Of North Carolina" shall be centered below the southwest and

southeast quadrants and shall flow in a counter clockwise direction. The words "Lumbee Tribe" shall be slightly larger than "Of North Carolina." Two dots, one on each side of the medicine wheel, shall separate the words "Lumbee Tribe" and "Of North Carolina."

d. No other words, figures or embellishments shall appear on the seal.

2. Meaning of the Seal

a. The circular shape of the tribal seal is symbolic of the circle of life. Along with the circle, the four equal parts and colors of the medicine wheel represent the lifespan of man: birth (red), growth (yellow), maturity (black) and death (white). But, as the circle has no end, so there can be no end to life but only another beginning. In addition, the colors represent the four qualities of a balanced life: the spiritual, the emotional, the physical, and the intellect.

b. The colors and their location on the wheel also represent: the four directions: east, south, west and north, the four colors of man: red, yellow, black and white, and the four seasons: spring, summer, fall and winter.

c. The Lumbee Pinecone Patchwork surrounding the circle of life represents the pride, power and will of the Lumbee Tribe.

d. The circle, the four equal parts with corresponding colors and the Lumbee Pinecone Patchwork come together to form a symbol representative of the Lumbee Tribe.

SECTION 3: OFFICIAL DIES OF THE SEAL

The official dies of the tribal seal shall not be transported outside of the tribal territory but remain at the seat of the tribal government in the Office of the Tribal Clerk.

SECTION 4: LIMITATION ON THE USE OF FACSIMILES, REPRODUCTIONS OR IMPRESSIONS

1. Use in Connection with Private Communications is Prohibited

No facsimiles, reproductions or impressions of the tribal seal, with or without the wording associated with the seal, shall be used in any private communications or documents, including but not limited to: private communications by employees of the tribal government, stationary, envelopes, facsimiles, and electronic documents, which are unconnected with authorized, official functions or communications of the tribe.

2. Use in Connection With Subdivisions or Enterprises of the Tribal Government

The tribal seal may be used in connection with documents and communications of such subdivision or enterprise of the tribal government, provided such document, correspondence or communication clearly identifies the identity of the subdivision or enterprise and such correspondence or communication is authorized by the governing body or officials of such subdivision or enterprise.

3. Commercial Use of Tribal Seal or Like Reproductions

a. Use in Connection with Official Functions or Enterprises of the Tribe

No facsimiles, reproductions or impressions of the tribal seal, with or without the wording associated with the tribal seal, shall be used in connection with the sale of merchandise or for any other commercial purpose associated with any official function or enterprise of the tribe unless such use has been authorized by the Tribal Council. All profits derived from the sale of merchandise or other commercial use of the tribal seal in any form shall be accounted for and deposited in a special revenue account as designated by the Tribal Council.

b. Use in Connection with Private Commercial Activities

No facsimiles, reproductions or impressions of the tribal seal, with or without the wording associated with the tribal seal, shall be used for personal gain or profit, including merchandise offered for sale or for any other commercial purpose unless such use has been specifically authorized by the Tribal Council.

4. Limited Personal Use of Tribal Seal by Tribal Members Permitted

Nothing in this ordinance shall prohibit any tribal member from making or having made, a facsimile, reproduction or impression of the tribal seal made for his/her personal use or as a gift to another tribal member, provided that nothing in this subsection shall authorize any person to use the tribal seal in any manner prohibited in Section 4 (1) of this ordinance.

SECTION 5: CIVIL OFFENSES AND PENALTIES

1. Any person(s) and/or entities who/that violate(s) this ordinance shall be liable for a civil fine of a minimum of \$1,000.00 and revocation of future use of the seal.
2. In enforcing the civil infraction provisions of this ordinance, the tribal government and/or designee shall initiate legal action against a person and/or entity for violation of such provision by civil complaint. The tribal government and/or designee in such action shall have the burden of showing, by preponderance of the evidence, that such person violated the provisions of this ordinance.

3. All property bearing facsimiles, reproductions or impressions of the tribal seal produced or manufactured in violation of this ordinance, or monies derived from the sale of such property, shall be subject to seizure by order of the tribal court.

SECTION 5: COPYRIGHT AND TRADEMARK

This ordinance authorizes the tribal administrator and/or designee to seek a copyright and trademark of the tribal seal within one month of enactment of this ordinance.

CERTIFICATION

THIS **OFFICAL TRIBAL SEAL** ORDINANCE NO. 2006-000____ ADOPTED THIS THE 15TH DAY OF JUNE, 2006 AT A MEETING OF TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA BY A VOTE OF 16 FOR, 0 AGAINST.

Wendy Moore-Graham 07/06/06
Secretary of the Tribal Council of the Lumbee Tribe of North Carolina / Date

Jimmy Harris 7/06/06
Chairman of the Lumbee Tribe of North Carolina / Date

POSTING

This **OFFICAL TRIBAL SEAL** Ordinance No. 2006-000____ duly posted in the Office of the Lumbee Tribe of North Carolina on this the 25th day of July, 2006.

John B. Saellie 7-25-06
Clerk of the Lumbee Tribe of North Carolina / Date