

ORDINANCE

CITY OF NEW ORLEANS

CITY HALL: February 22, 2024

CALENDAR NO. 34,595

NO. _____ MAYOR COUNCIL SERIES

**BY: COUNCILMEMBERS MORENO, MORRELL, GIARRUSSO, HARRIS, KING,
GREEN AND THOMAS**

AN ORDINANCE calling for an election on November 5, 2024, at which the electors of the City of New Orleans shall be asked to approve an amendment to Article II, Section 2-202 of the Home Rule Charter adding worker’s rights to the municipal bill of rights, and otherwise to provide with respect thereto.

SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That an election is hereby called, in conformity with Section 9-202 of the Home Rule Charter of the City of New Orleans and Article VI, Section 4 of the Louisiana Constitution of 1974, at which election there shall be submitted to the qualified electors of the City of Orleans, for their approval or rejection, a proposal to amend Article II, Section 2-202 of the Home Rule Charter adding worker’s rights to the municipal bill of rights as set forth in SECTION 4 of this Ordinance.

SECTION 2. That said election shall be held on November 5, 2024, between the hours of 7:00 a.m. and 8:00 p.m. under the General Election Laws of the State of Louisiana.

SECTION 3. That the official ballot to be used at said election and inserted in all voting machines shall have printed thereon the following:

PROPOSITION

Shall Article II, Section 2-202 of the Home Rule Charter of the City of New Orleans be amended to include rights for workers, as described in Ord. No. _____, M.C.S., among the rights contained in the municipal bill of rights?

SECTION 4. In the event the ballot proposition contained in Section 3 is approved by voters on November 5, 2024, Section 2-202 of the Home Rule Charter of the City of New Orleans, as amended, shall read as follows:

“ARTICLE II. – POWERS

* * *

CHAPTER 2. – BILL OF RIGHTS

* * *

Section 2-202. – Bill of Rights.

- (1) All persons are born free and equal in dignity and rights. They are endowed with reason and conscience and should act toward one another with respect.
- (2) All government, of right, originates with the people, is founded on their will alone, and is instituted to protect the rights of the individual and to provide for the general welfare of the people.
- (3) The people have the right to a government responsive to their will and the right to take part in the government of the City, either directly or through freely chosen representatives.
- (4) The people have the right to lawful and peaceful assembly, to petition the government for redress of grievance, and to equal access to public services.

- (5) The people have the right to life, liberty, and security of person, the right to live free from fear or violence, and the right to safe neighborhoods conducive to the enjoyment of liberty.
- (6) No law shall deprive any person of any rights, privileges, or immunities secured by the Constitution and laws of the United States or the State of Louisiana, nor shall any law discriminate against any person because of race, color, religion, or national origin. No law shall arbitrarily and capriciously or unreasonably discriminate against a person because of birth, disability, sex, sexual orientation, gender identification, culture, language social origin, or political affiliations.
- (7) The people have the right to freedom of opinion and expression. No law shall restrain freedom of speech or freedom of the press.
- (8) The people have the right to freedom of thought, conscience, and religion. No law shall be enacted respecting an establishment of religion.
- (9) The people have the right to a government of the highest ethical standards, free from corruption, untainted by graft, and conducted in accordance with sound fiscal planning and administration.
- (10) The natural resources of the City and the healthful, scenic, historic, and aesthetic quality of the municipal environment shall be protected, conserved, and replenished insofar as possible consistent with the health, safety, and welfare of the people.
- (11) The people have the right to live in economic prosperity and to receive fair living wages for their labor, equal pay, comprehensive healthcare coverage and paid leave for the purposes of medical, family, bereavement, and vacation time.

- (12) The people have the right to a safe workplace which complies with all Federal, state, and local workplace laws and regulations including wage and hour laws, as well as the right to organize and to associate freely in pursuit of workplace and economic justice.
- (13) This Bill of Rights shall not create any enforceable rights, duties, obligations or causes of action under this Charter beyond those guaranteed by the Constitution of the United States or the Constitution of the State of Louisiana.”

SECTION 5. That all officials of the State of Louisiana and City of New Orleans who are charged with the execution of laws and the discharge of duties relative to said election are directed to perform the duties required of them by such laws with regard to said election.

SECTION 6. That the Council and other municipal and parochial officers shall by proper proceedings provide:

- a) the taking of all necessary steps for the holding of said election; and
- b) the supplying of voting machines and furnishing of the official absentee ballots, tally sheets, and other necessary election supplies; and
- c) the selecting and publishing of the location of the respective polling places; and
- d) the issuing of any proclamation and the giving of all notices concerning said election as may be necessary; and
- e) the taking of all proper and necessary steps to cause the election to be held, the votes compiled, and the results promulgated, as provided by existing laws and the Home Rule Charter of the City of New Orleans.

SECTION 7. That the Mayor of the City of New Orleans and the New Orleans City Council are hereby authorized and empowered to issue any proclamation and to give all notices

concerning said election as may be necessary, and to take all steps necessary and proper to cause said election to be held as herein ordered.

Notice of said election in substantially the form attached hereto as Exhibit “A” and incorporated herein by reference as if set forth in full, shall be published in the official journal of the City of New Orleans once a week for four consecutive weeks, with the first publication being not less than 45 days, nor more than 90 days prior to the date of the election; said notice shall state that the Council of the City of New Orleans will meet in open session to examine and canvass the results of said election during its regular meeting on December 19, 2024 at 10:00 a.m. in Council Chambers.

SECTION 8. That the Clerk of Council shall promptly cause this ordinance, which is adopted pursuant to Section 9-201, *et seq.* of the Home Rule Charter, to be published at length in the official journal of the City of New Orleans with the frequency prescribed by law and not less than 60 days before said election.

SECTION 9. That should more than one proposition be voted on at the same time this and all such other propositions shall be consecutively identified on the ballot so that each proposition may be separately voted on.

SECTION 10. That immediately upon the completion of the canvass of the returns of the election, the Council shall declare the result of the election and shall declare the total number of votes cast upon the proposition and the number of votes cast respectively for and against the proposition. If a majority of votes cast are in favor of the proposition, the amendments of the Home Rule Charter set forth in SECTION 4 shall take effect January 1, 2025.

SECTION 11. That if the proposition is approved, the City Attorney is hereby authorized and directed to file authenticated copies thereof in the offices of the Land Records Division for

the Parish of Orleans, the Secretary of State, and any other office required by law within 30 days after said election.

SECTION 12. That immediately upon this ordinance becoming law, the Clerk of Council shall transmit certified copies thereof to the Law Department for submission to the Louisiana Bond Commission and all other appropriate agencies.

SECTION 13. That immediately upon this ordinance becoming law, the Clerk of Council shall be and is hereby empowered, authorized, and directed to forward certified copies of this ordinance to the Secretary of State, the Commissioner of Elections, the Clerk of Criminal Court and Ex-Officio Custodian of Voting Machines in and for the Parish of Orleans, the Clerk of Civil District Court for the Parish of Orleans, the Registrar of Voters in and for the Parish of Orleans, and such other officials as the Council may desire so that each may carry out all legal duties.

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS _____

PRESIDENT OF THE COUNCIL

DELIVERED TO THE MAYOR ON _____

APPROVED:
DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON _____ **AT** _____

CLERK OF COUNCIL

ROLL CALL VOTE:

YEAS:

NAYS:

ABSENT:

RECUSED:

EXHIBIT “A”

NOTICE OF ELECTION

Pursuant to the provisions of Ordinance No. _____ M.C.S. adopted by the City Council of New Orleans on _____, **NOTICE IS HEREBY GIVEN**, that an election will be held in New Orleans on Tuesday, November 5, 2024, and that at said election there will be submitted to all registered voters residing in the City of New Orleans who are qualified and entitled to vote at the said election under the Constitution and laws of the State of Louisiana and the Constitution of the United States, the following proposition:

“PROPOSITION

Shall Article II, Section 2-202 of the Home Rule Charter of the City of New Orleans be amended to include rights for workers, as described in Ord. No. _____, M.C.S., among the rights contained in the municipal bill of rights?”

The election will be held at each and every polling place in the City of New Orleans, which polls will open at 7:00 a.m. and close at 8:00 p.m., in accordance with the provisions of La. R.S. 18:541.

The estimated cost of this election, as determined by the Louisiana Secretary of State, based upon the provisions of Title 18, Chapter 8A of the Louisiana Revised Statutes and actual costs of similar elections is \$_____.

Notice is further given that a portion of the monies collected from the taxes described in the foregoing propositions shall be remitted to certain state and statewide retirement systems in the manner required by law.

The Council, acting under the powers granted to it by the City Charter and state statutes, will meet in open and public session or in the Council Chamber, City Hall, 1300 Perdido Street, New Orleans, Louisiana, 70112, on Thursday, December 19, 2024, beginning at 10:00 a.m. and will proceed to examine and canvass the returns and declare the result of the election.