

**ORDINANCE
(AS AMENDED)
CITY OF NEW ORLEANS**

**CITY HALL: March 27, 2025
CALENDAR NO. 35,039**

NO. 30291 MAYOR COUNCIL SERIES

BY: COUNCILMEMBER MORRELL

AN ORDINANCE to establish and ordain Section 70-565 of the Code of the City of New Orleans relative to the imposition and collection of fees and service charges for the collection of taxes, and license and permit fees on behalf of the State of Louisiana or any public office, department or board not subject to the provisions of the Home Rule Charter, and otherwise to provide with respect thereto.

WHEREAS, Section 4-1301(b) of the Home Rule Charter provides that the Department of Finance shall “[c]ollect, when directed or authorized by law, all taxes, license and permit fees, and other moneys which may be receivable by the State or any public office, department or board not subject to the provisions of this Charter”; and

WHEREAS, Section 3-101 of the Home Rule Charter provides that all legislative power in the city is vested in the City Council and authorizes the Council to impose “any and all . . . fees necessary for the proper operation and maintenance of the municipality”; and

WHEREAS, the imposition of administrative fees and charges by the city in connection with tax collection has generated significant and costly litigation and exposed the public fisc to substantial potential liability; and

WHEREAS, the Council, consistent with its plenary authority to establish administrative fees, believes it is necessary to bring transparency, predictability, and public oversight to the imposition of fees by the Department of Finance; **NOW THEREFORE**

1 **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS**, That Section 70-565 of the Code of the City of New Orleans, Louisiana is established
3 and ordained to read follows:

4 **“Sec. 70-565. – Fees for collection of taxes and charges on behalf of other agencies.**

5 (a) The Department of Finance shall not impose or collect any fee or service charge in
6 connection with the collection of any taxes, license and permit fees, and other moneys which may
7 be receivable by the State or any public office, department or board not established by the Home
8 Rule Charter, except in accordance with this section and unless expressly authorized and
9 established by this section, by state legislation, or by majority vote of the qualified electors voting
10 thereon in an election held for that purpose.

11 (b) No fee or service charge may be imposed by the Department of Finance for the collection
12 of any taxes, license and permit fees, or other moneys described in subsection (a) unless, and only
13 during such times as, there is a multi-year cooperative endeavor agreement in effect between the
14 city and the recipient body, approved by ordinance in accordance with Section 9-314 of the
15 Charter, that provides for the collection and sets forth the amount of the fee or service charge.

16 (c) Notwithstanding the foregoing, in the event the Orleans Parish School Board elects not to
17 collect for itself ad valorem and sales and use taxes, the Department of Finance shall collect ad
18 valorem and sales and use taxes dedicated to the Orleans Parish School Board without fees or
19 charge through tax year 2026. It is the policy of the city, and the express finding of the Council,
20 that the foregoing collection activities are not a gratuitous donation of services, but are instead
21 supported by the valuable consideration and benefits associated with resolving costly ongoing
22 litigation and preventing future litigation, as well as the direct and indirect fiscal and social benefits
23 to the city that come from maximizing funds available to provide educational programming for
24 city youth.”

1 **SECTION 2. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**
2 **ORDAINS,** That the provisions of this ordinance are intended to apply prospectively, but shall
3 cover any and all collections for tax year 2025 received and collected on or after the date this
4 ordinance becomes law and are further intended to supersede any previously enacted ordinance,
5 rule, or contract authorizing or ratifying the collection of fees or service charges by the city in
6 connection with any collection authorized pursuant to Home Rule Charter Sec. 4-1303(1)(b). The

7 Department of Finance shall immediately discontinue the imposition of charges and fees not
8 authorized by this ordinance and shall remit all collected taxes, as received and without offset for
9 charges and fees inconsistent with this ordinance, to the appropriate tax recipient bodies.

ADOPTED BY THE COUNCIL OF THE CITY OF NEW ORLEANS APRIL 10, 2025

**JP MORRELL
PRESIDENT OF THE COUNCIL**

DELIVERED TO THE MAYOR ON APRIL 11, 2025

APPROVED:

DISAPPROVED: _____

MAYOR

RETURNED BY THE MAYOR ON APRIL 21, 2025 AT 4:25 P.M.

**AISHA R. COLLIER
ASSISTANT CLERK OF COUNCIL**

THE FOREGOING IS CERTIFIED
TO BE A TRUE AND CORRECT COPY

Aisha Collier

ROLL CALL VOTE:

YEAS: Giarrusso, Green, Harris, Moreno, Morrell, Thomas - 6
NAYS: 0
ABSENT: King - 1
RECUSED: 0

THIS ORDINANCE WAS RETURNED BY THE MAYOR ON APRIL 21, 2025 AT 4:25 P.M. AND THE SAME WAS NEITHER APPROVED NOR DISAPPROVED BY THE MAYOR. THEREFORE, SAID ORDINANCE BECAME LAW AT 12:00 NOON ON APRIL 20, 2025 AS REQUIRED BY LAW.

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