

# **CITY OF ST. GEORGE**

## **PROPOSED HOME RULE CHARTER**

NOVEMBER 4, 2024

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# Preamble

When in the course of human events, it becomes necessary for a community to seize upon the lawful avenues afforded by our government and therein craft a future that counters the inevitable migration of its people, we, the petitioners, find an uncommon resolve. Thus was born the City of St. George—not merely a collection of homes or neighborhoods but the embodiment of a vision deeply rooted in our unyielding Faith, cherished values, and steadfast dedication to a sustainable government. It is our solemn duty, owed to all who will come after us, to lay the foundation of a legacy that will inspire through generations unborn.

Our movement faced an array of rebuffs from every level of power and influence, its wisdom deeming our quest untenable. In the face of these trials, we not only found resolve we found victory drawing inspiration from exemplary communities where people triumph over bureaucracy.

Despite the clamor of dissent and the battering of personal vilification, we stand firm in our belief: the establishment of the City of St. George is imperative for the prosperity that awaits our Parish. Our founding principles are thus declared:

- The essentiality of Faith and family as the cornerstones of societal triumph.
- The sacred right to petition governing bodies for communal reform.
- The act of voting as the purest expression of democracy.
- A vision for government that is lean, localized, and accountable.
- The paramount virtue of accountability and vigilant citizenry.
- The resolute embrace of constructive change.

In summation, we aver that the City of St. George shall serve as the beacon heralding transformative reforms in governance, setting the benchmark for the times yet to come.

# Key Terms

The following definitions shall apply to the following terms when used in this Charter.

- **Authorized Membership of the Council:** All seven Council Members.
- **Chief Liaison:** The role of the Mayor in relation to the City Council and City Manager. The Mayor shall lead communications between the City Council and the City Manager. The Mayor and the City Manager shall work as a team to perform key functions of the government as described in this Charter and Ordinances and Resolutions of the City Council and as required by applicable federal and state laws.
- **City:** The City of St. George.
- **City Departments or Agencies:** Departments or agencies created to perform functions to be provided by the primary contractor or any additional contractor(s) retained by the City.
- **Elected At-large:** Elected by the qualified electors of the City.
- **Employee:** A full or part-time employee of the City serving in a position created in this Charter, an individual employed by any entity with a contractual relationship with the City to perform any service for the City. No individual employed by any entity with a contractual relationship with the City shall be entitled to any employee benefit available to employees serving in positions created in this Charter.
- **Employee Benefits:** Benefits available to full-time employees serving in positions created in this Charter. Employee benefits shall not include any post-employment benefits to be funded by the City. Employee Benefits shall be limited to payments for benefits during active employment. The City shall not create any defined benefits plan or self-funded insurance plan.
- **Line-item Veto or Authority to Veto Individual Items:** The power of the Mayor to reject individual provisions of an Ordinance approved by the Council.
- **Ordinance:** A law enacted by the Council establishing rules of conduct within the City.
- **Presiding Officer:** Presiding officer shall mean the individual responsible for leading a public meeting and maintaining order. The Mayor shall be the Presiding Officer for all public meetings, hearings, and workshops conducted by the Council. In the absence of the Mayor, the Mayor Pro Tempore or the designated Chairperson shall take all necessary actions to comply with this Charter and applicable laws, Ordinances, and Resolutions.
- **Term of Office:** The period of time from when an official takes office until the expiration of the term.
- **Three-fourths of the Authorized Membership:** Requirement of the concurrence of at least six Council Members.
- **Veto:** Power of the Mayor to block or prevent an action taken by an elected or appointed official or the Council.

# Article I: Structure of Government

## 1. POWERS OF THE CITY

### ***1-1. General Powers.***

Except as otherwise prohibited by this Charter, the City shall have all the powers, rights, privileges, immunities, and authority heretofore possessed by the City under the laws of the State of Louisiana. The City shall have and exercise such other powers, rights, privileges, immunities, authority, and functions not inconsistent with this Charter as may be conferred on or granted to local governmental subdivisions by the general laws of Louisiana, and, more specifically, the City shall have and is hereby granted the right and authority to exercise any power and perform any function necessary, requisite, or proper for the management of its affairs, not denied by this Charter, or by general law, or inconsistent with the Louisiana Constitution.

### ***1-2. Special Powers.***

- A. The Council shall have the right, power, and authority to enact all Ordinances requisite or necessary to promote, protect, and preserve the general welfare, safety, health, peace, and good order of the City, including, but not by way of limitation, the right, power, and authority to pass Ordinances on all subject matters necessary, requisite, or proper for the management of the City's affairs, and all other subject matter without exception, subject only to the limitation that the same shall not be inconsistent with the Louisiana Constitution, expressly denied by law, or inconsistent with this Charter.
- B. The enumeration of particular powers in this Charter shall not be deemed exclusive, and in addition to the powers enumerated or implied herein, the City shall have all powers not prohibited by the Louisiana Constitution or laws.

## 2. CITY COUNCIL

### ***2-1. Composition, Qualifications, and Elections.***

- A. The legislative power of the City shall be vested in a Council consisting of seven members to be elected as follows:
  - 1 Five Council Members elected from districts established by Ordinance.
  - 2 Two Council Members elected At-large to seats designated as A and B.
- B. Council Members shall be eligible for reelection for an additional term unless the Council Member served for more than two-and-a-half terms.
- C. Council Members shall be at least 18 years of age and a qualified elector of the City and of the district from which elected during the Term of Office.
- D. Council Members shall have been legally domiciled in the City for at least one year and, where applicable, within the district from which they seek election for at least one year immediately preceding qualifying for office. Council Members shall continue to be legally domiciled in the City and, if elected from a district, shall continue to be legally domiciled in the district during the Term of Office. If a Council Member changes legal domicile from the City or from the district during the Term of Office, the office shall become vacant. The vacancy shall be filled in accordance with the Election Code.

## **2-2. Reapportionment.**

Following the official publication of each federal decennial census by the United States Bureau of the Census the Council shall determine whether the Council districts comply with applicable law. The Council shall enact district boundaries by Ordinance to provide for population equality among the districts as near as reasonably practical. Districts shall be contiguous and compact to the extent possible.

## **2-3. Vacancies.**

- A. The office of Council Member shall become vacant upon death, interdiction by a court of competent jurisdiction, resignation, removal from office in any manner authorized by law, forfeiture of office, or failure to take office for any reason.
- B. Any Council Member shall forfeit the office if such member:
  - 1 Lacks at any time during the Term of Office any qualification for the office prescribed by this Charter;
  - 2 Violates any express prohibition of this Charter;
  - 3 Is disqualified by applicable law from holding public office; or
  - 4 Is found guilty of a felony by a jury or a court of competent jurisdiction. Appeals shall not affect forfeiture of office.
- C. A vacancy on the City Council shall be filled in accordance with applicable law.

## **2-4. Compensation.**

- A. The role of a Council Member shall be a part-time position compensated accordingly. The Council shall set by Ordinance the salary of Council Members.
- B. Any change in the Ordinance establishing the initial compensation of Council Members shall be adopted at least 90 calendar days prior to the close of qualifying. Any change in compensation shall not become effective until the commencement of the next Term of Office.
- C. Council Members may be reimbursed for properly vouchered expenses incurred in conducting business of the City in accordance with applicable procedures adopted by the Council.
- D. The Council shall set by Ordinance the employee benefits provided for Council Members if any benefits are provided.

## **2-5. Prohibitions.**

- A. Except as otherwise provided by this Charter, a Council Member shall not hold any other elected public office, City office, City employment, or compensated office on any State or local public board or commission during the Term of Office for which elected to the Council.
- B. Except for inquiries and investigations under Article I, Section 2-6 of this Charter, the Council and individual Council Members shall deal with City officers, City Employees, and City Contractors subject to the direction or supervision of the City Manager solely through the City Manager. Neither the Council nor any Council Members shall give orders to any City officer, City Employee, or City contractor, either publicly or privately.

## **2-6. Investigations.**

The Council may make investigations into the affairs of the City and the related conduct of any City official, City officer, City Employee, City department, City office, or City agency and, for this purpose, may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Investigations shall be for a specified purpose and may be undertaken only by the affirmative vote of Three-Fourths of the Authorized

Membership of the Council at a regular meeting of the Council. Any person who fails or refuses to obey any lawful order of the Council shall be cited for contempt. No Council Member shall vote on any matter under investigation in which said Council Member has a conflict of interest.

## **2-7. City Council Employees.**

The Council may provide for Employees not listed in this Charter by Ordinance. The Council shall set the compensation of each Employee.

## **2-8. Action Requiring an Ordinance.**

- A. An act of the Council having the force of law shall be by Ordinance. An act requiring an Ordinance shall include but not be limited to those which:
- 1 Appoint or terminate the City Manager.
  - 2 Adopt or amend an administrative code.
  - 3 Provide a fine or penalty or establish a rule or regulation for violation of which a fine or other penalty may be imposed.
  - 4 Enter contracts with public or private entities for the provision of services to the residents and businesses of the City.
  - 5 Levy taxes authorized by the electors or assessments as provided by law in accordance with the Louisiana Constitution.
  - 6 Appropriate funds and/or adopt the operating budget and capital improvement budget.
  - 7 Grant, renew, or extend a franchise.
  - 8 Provide for raising revenue.
  - 9 Regulate the rate or other charges for any service by the City.
  - 10 Incur debt in any manner authorized by law.
  - 11 Abandon any property owned by the City.
  - 12 Convey, lease, or authorize the conveyance or lease of any lands or property of the City.
  - 13 Acquire immovable property on behalf of the City.
  - 14 Adopt or modify the official City map.
  - 15 Adopt or modify the zoning plan, maps, and regulations.
  - 16 Amend or repeal any Ordinance previously adopted.
  - 17 Establish a Planning and Zoning Commission.
- B. All Ordinances shall be codified in accordance with the Louisiana Constitution.
- C. An action of the Council that does not have the force of law may be enacted by Resolution. Actions which may be adopted by Resolution shall include but shall not be limited to those which:
- 1 Establish a commemorative day, week, month, or year;
  - 2 Authorize a person to sign or execute on behalf of the City a contract that has been approved;
  - 3 Authorize a person to execute, sign, or countersign a check or draft on an account of the City; or
  - 4 Declare a statement of public policy of the Council.
- D. Ordinances shall be passed by the favorable vote of at least a majority of the Authorized Membership of the Council except as otherwise provided in this Charter. Resolutions shall be passed by the favorable vote of a majority of the Council Members present.
- E. Voting on Ordinances and Resolutions shall be at open meetings, and the yea and nay votes shall be recorded by name. Proxy voting is prohibited.

## **2-9. Ordinances in General.**

- A. Ordinances shall be proposed at Council meetings and shall be submitted by at least one Council Member and seconded by another Council Member prior to introduction.
- B. All proposed Ordinances shall be introduced in writing and in the form required for adoption and, except for codifications, the operating budget and capital improvement budget shall be confined to one subject, expressed clearly in the title.
- C. All proposed Ordinances shall be read by title when introduced and published on the City's website in full or in summary, except Ordinances proposing amendments to this Charter, which shall be published in full. Except as otherwise provided in Article I, Section 2-11, Emergency Ordinances, no Ordinance shall be considered for final passage until after a public hearing has been held on the Ordinance, and no Ordinance shall be considered for final passage at the same meeting the Ordinance is introduced. The public hearing may be held at the Council meeting at which final passage will be considered.
- D. After final approval of an Ordinance by the Mayor or by the Council following a Veto by the Mayor, the enacted Ordinance shall be published in full in the official journal and on the City's website by the Council Administrator as soon as practical thereafter; provided, however, that Ordinances adopting codes of technical regulations or adopting or amending the operating budget or capital improvement budget may be published in full or in summary at the Council's discretion. Every enacted Ordinance, unless it shall specify another date, shall become effective at the expiration of 30 calendar days after publication.

## **2-10. Submission of Ordinances to the Mayor.**

- A. Every Ordinance adopted by the Council shall be signed by the Council Administrator and presented to the Mayor within three days after adoption, excluding Saturdays, Sundays, and legal holidays. The Council Administrator shall record the date and hour of its delivery to the Mayor on the Ordinance.
- B. Within ten days after the Mayor's receipt of an Ordinance, excluding Saturdays, Sundays, and legal holidays, the Ordinance shall be returned to the Council Administrator with the Mayor's approval or with a Veto. The Council Administrator shall record the date and hour of its receipt from the Mayor upon the Ordinance. If the Ordinance is not signed or vetoed by the Mayor within ten days, excluding Saturdays, Sundays, and legal holidays after receipt, the Ordinance shall be enacted. If the Ordinance has been approved, it shall be considered finally enacted and become effective as provided in Article I, Section 2-9, Ordinances in General. If the Ordinance is vetoed, the Mayor shall submit a written statement of reasons for the Veto to the Council through the Council Administrator. The Veto statement shall be published in full in the official journal by the Council Administrator as soon as practical thereafter. All Ordinances vetoed by the Mayor shall be vetoed in full, except the Mayor shall have the authority to Line-item Veto appropriation items in any Ordinance adopting or amending the operating budget and capital improvement budget.
- C. Ordinances vetoed by the Mayor shall be submitted by the Council Administrator to the Council at the next regular Council meeting held after publication of the veto statement. If the Council votes, not later than the second regular meeting held after receipt of the vetoed Ordinance, to enact the Ordinance by the favorable vote of at least Three-Fourths of the Authorized Membership, said Ordinance shall be considered finally enacted and become law irrespective of the Mayor's Veto. The same procedure shall apply to individual appropriation items in Ordinances adopting or amending the operating and capital improvement budgets vetoed by the Mayor.
- D. The authority of the Mayor to Veto shall apply to all Ordinances adopted by the Council except Ordinances for amendments to this Charter; establishing, altering, or modifying Council procedure; appropriating funds for auditing or investigating any part of the executive branch; or as otherwise provided in this Charter.



## **2-11. Emergency Ordinances.**

- A. To meet a public emergency affecting life, health, property, or public safety, the City Council, by the favorable vote of at least a majority of the members of the Council present, may adopt an emergency Ordinance at the meeting at which it is introduced, provided no such Ordinance may be used to levy taxes or special assessments; grant or extend a franchise; incur debt, except as provided in Article III; adopt or amend an official map, platting, subdivision controls, or zoning regulations; or change rates, fees, or charges established by the City. Each emergency Ordinance must contain a specific statement of the emergency necessitating the enactment.
- B. An emergency Ordinance approved by the Mayor shall be considered finally enacted and become effective immediately upon receipt by the Council Administrator.
- C. Emergency Ordinances shall be effective for no longer than 30 calendar days. The Council, however, upon a favorable vote of at least a majority of the members of the Council present, may extend an emergency Ordinance for an additional 30 calendar days, but no such Ordinance may be extended beyond 30 calendar days.

## **2-12. Authentication and Recording of Ordinances and Resolutions.**

- A. All finally enacted Ordinances and Resolutions shall be authenticated, numbered, and recorded by the Council Administrator. All Ordinances shall be indexed and codified, if applicable. All Resolutions shall be indexed and recorded in the Council's meeting minutes at which the Resolution was approved.
- B. The Council shall cause each Ordinance and each amendment to this Charter to be printed or otherwise reproduced promptly following enactment, and such printed or reproduced amendments and Ordinances shall be distributed or sold to the public at cost.

## **2-13. Power to Levy and Collect Taxes.**

- A. The power to perform any service or provide any facility granted to the City by this Charter or by the Louisiana Constitution and laws, in all cases, carries with it the power to levy taxes and to borrow money within the limits and in accordance with procedures prescribed by the Louisiana Constitution and laws. The Council is hereby granted all authority to levy and collect taxes approved by the electors, incur debt, and issue bonds and other evidence of indebtedness as is now or hereafter conferred on governing authorities of municipalities by the Louisiana Constitution and laws, or as may be hereafter conferred by the electors of the City.
- B. Any tax levied by the City prior to the effective date of this Charter is ratified and continued in effect for the term of the tax that was authorized.
- C. All proposals to levy property taxes shall be submitted to the electors for approval.
- D. All proposals to levy a new or increase an existing sales and use tax shall be submitted to the electors for approval.

## **2-14. Relationship to the City Manager.**

As set forth in Article I, Section 4, City Manager, the Council shall appoint a City Manager to serve as the chief administrator of the City and may terminate the appointment at any time. It is an ongoing responsibility of the Council to ensure that the City Manager, City Employees, and City contractors are accountable for their actions. The Council shall formally evaluate the City Manager's performance on at least an annual basis. The Council shall also monitor the policy proposals submitted by the City Manager and the administrative actions taken by the City Manager and staff to ensure that the Council's expectations are met and that acceptable standards are maintained.

## **2-15. Powers of Enforcement.**

For the purpose of carrying out the powers generally or specially conferred on the City, the Council shall have the power, whenever it deems necessary, to grant franchises, to require licenses and permits and set to be paid therefor, to charge compensation for any privilege or franchise granted or service rendered, and to provide penalties for the violation of any Ordinance or regulation, as provided by law.

## **3. MAYOR**

### **3-1. Powers and Duties.**

- A. The Mayor shall be the Presiding Officer of the Council and shall attend and preside over meetings of the Council.
- B. Represent the City in intergovernmental relationships.
- C. Appoint the members of community advisory boards, commissions, and Council committees subject to Council approval.
- D. Present an annual state of the City message.
- E. Serve as the Chief Liaison between the Council and the City Manager.
- F. Perform other duties specified by the Council.
- G. The Mayor shall be recognized as head of the City for all ceremonial and economic development purposes and by the governor for purposes of military law but shall have no administrative duties.
- H. The Mayor shall have no vote on the Council but may place items on the Council agenda and shall have the privilege to speak on proposed Ordinances during Council meetings.
- I. The Mayor is authorized to Veto any Council actions unless specified in this Charter.
- J. The Mayor is authorized to Line-item Veto an appropriation in the operating and capital budgets or amendments thereto.
- K. The Mayor shall respond on behalf of the City in the event of a public emergency in a manner consistent with law and shall coordinate with all relevant emergency response agencies to ensure the well-being of the City and its residents.

### **3-2. Election.**

- A. The Mayor shall be elected At-large by all the electors of the City and shall be eligible for reelection for an additional term unless the mayor has served for more than two-and-a-half terms.
- B. The Mayor shall be at least 18 years of age, a qualified elector of the City, and shall have been legally domiciled in the City for at least one year immediately preceding qualifying for office.
- C. The Council shall elect from among its members a mayor pro tempore who shall perform the duties of Mayor during the absence or disability of the Mayor and, if a vacancy occurs, shall become Mayor until a special election is held or for the unexpired term, unless the unexpired term is less than one year.

### **3-3. Compensation.**

- A. The office of Mayor shall be a full-time position and shall be compensated accordingly. The Council shall set the compensation of the Mayor by Ordinance.
- B. Any change in the initial compensation of the Mayor shall be adopted at least 90 calendar days prior to the close of qualifying for the next Term of Office. Any change in compensation shall not become effective until the commencement of the next Term of Office.

- C. The Mayor may be reimbursed for properly vouchered expenses incurred in conducting business of the City in accordance with procedures adopted by the City Council.
- D. The Council shall set by Ordinance Employee Benefits to be provided to the Mayor, if any benefits are provided.

## **4. CITY MANAGER**

### ***4-1. Appointment; Qualifications; Compensation.***

The Council, by a majority vote of its membership, shall appoint a City Manager for an indefinite term and set the City Manager's compensation. The City Manager shall be appointed solely on the basis of education and experience in the accepted competencies and practices of local government management. The Council shall set by Ordinance the exact qualifications and competencies that the City Manager must possess.

### ***4-2. Removal.***

If the City Manager declines to resign at the request of the Council, the Council may suspend the City Manager by a Resolution approved by the majority of the membership of the Council. Such Resolution shall set forth the reasons for suspension and proposed removal. A copy of such Resolution shall be served immediately upon the City Manager. The City Manager shall have 15 calendar days to reply thereto in writing and, upon request, shall be afforded a public hearing, which shall occur not earlier than ten calendar days nor later than 15 calendar days after such hearing is requested. After the public hearing, if one is requested, and after full consideration, the Council, by a majority vote of its total membership, may adopt a final Resolution of removal. The City Manager shall continue to receive full salary until the effective date of a Resolution of removal.

### ***4-3. Acting City Manager.***

By letter filed with the Council Administrator, the City Manager shall designate a City officer, Employee, or contractor to exercise the powers and perform the duties of the City Manager during the manager's temporary absence or disability; the Council may revoke such designation at any time by Resolution and appoint another officer of the City to serve until the City Manager returns. An acting City Manager shall be compensated as the City Manager for the duration of the absence or disability of the City Manager.

### ***4-4. Powers and Duties of the City Manager.***

- A. The City Manager shall be the chief administrative officer of the City, responsible to the Council for the management of all City affairs placed in the City Manager's charge by this Charter. The City Manager shall:
  - 1 Appoint, suspend, or remove all City Employees, contractors, and appointive administrative officers provided by or under this Charter, except as otherwise provided by law, this Charter, or personnel rules adopted pursuant to this Charter. The City Manager may authorize any administrative officer subject to the City Manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office, or agency;
  - 2 Direct and supervise the administration of all contractors, contracts, and day-to-day operations of the City except as otherwise provided by this Charter or by law;
  - 3 Attend Council meetings. The City Manager shall have the right to take part in discussion but shall not vote;
  - 4 See that all laws, provisions of this Charter, and acts of the Council, subject to enforcement by the City Manager or by officers subject to the City Manager's direction and supervision, are faithfully executed;

- 5 Prepare and submit the annual budget and capital program to the Council and implement the final budget approved by the Council to achieve the goals of the City;
- 6 Submit to the Council and make available and accessible to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year and provide the information needed by the Council for its annual evaluation of performance;
- 7 Make available and accessible such other reports as the Council may require concerning operations;
- 8 Keep the Council fully advised as to the financial condition and future needs of the City;
- 9 Make recommendations to the Council concerning the affairs of the City and facilitate the work of the Council in developing policy;
- 10 Provide staff support services for the Mayor and Council members;
- 11 Assist the Council in developing long-term goals for the City and strategies to implement these goals;
- 12 Encourage and provide staff support for partnerships with community organizations and for regional and intergovernmental cooperation and equitable programming;
- 13 Promote partnerships among Council, staff, and community members in developing public policy and building a sense of community; and
- 14 Perform such other duties as are specified in this Charter or may be required by the Council.

## **Article II: Departments, Offices, and Agencies**

### **1. General Provisions.**

- A. Except as otherwise provided by this Charter, all City operations shall be under the direction and supervision of the City Manager. Any staff appointments by the City Manager shall be subject to confirmation by the Council.
- B. The Council may establish City Departments, Offices, or Agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices, and agencies. No function assigned by this Charter to a particular department, office, or agency may be discontinued or, unless this Charter specifically so provides, assigned to any other.

### **2. City Attorney.**

- A. The Council shall appoint by Ordinance a City Attorney to provide counsel and represent the interests of the City.
- B. The City Attorney shall be an attorney licensed to practice in the courts of Louisiana.
- C. The Council shall, by Ordinance, define the roles and responsibilities of the City Attorney.
- D. The City Attorney may be an Employee of the City or an individual who works for a law firm contracted by the City, in which case the contracted firm must designate a licensed attorney who will serve as the primary City Attorney.
- E. The City Attorney shall serve as chief legal advisor to the Mayor, Council, City Manager, and all departments, offices, and agencies. The City Attorney shall represent the City in all legal proceedings and shall perform any other duties by this Charter or by Ordinance.

### **3. Chief of Police and Public Safety.**

- A. The Chief of Police and Public Safety shall be elected At-large and shall be eligible for reelection for an additional term unless the Chief of Police and Public Safety has served more than two-and-a-half terms.

- B. The Chief of Police and Public Safety shall be at least 18 years of age, a qualified elector of the City, and shall have been legally domiciled in the City for at least one year immediately preceding qualifying for office.
- C. The Chief of Police and Public safety shall be a full-time position and compensated accordingly. The Council shall set the compensation of the Chief of Police and Public Safety by Ordinance. There shall be no paid police force.
- D. Any change in the initial compensation of the Chief of Police and Public Safety shall be adopted at least 90 calendar days prior to the close of qualifying for the next Term of Office. Any change in salary shall not become effective until the commencement of the next Term of Office.
- E. The Chief of Police and Public Safety may be reimbursed for properly vouchered expenses incurred in conducting business of the City, in accordance with procedures adopted by the Council.
- F. The Council shall set by Ordinance the Employee Benefits to be provided to the Chief of Police and Public Safety, if any benefits are provided.
- G. The Chief of Police and Public Safety shall be responsible for maintaining order and safety in the City by ensuring coordination with and service of existing public safety services. The City shall partner with the East Baton Rouge Parish Sheriff's Office, the East Baton Rouge Parish Emergency Medical Services, the East Side Fire Protection District No. 5 and St. George Fire Protection District No. 2, the Louisiana State Police, and any other relevant local, state, or federal public safety organizations for the necessary protection and safety of all residents and businesses of the City.
- H. It shall be the foremost responsibility of the Chief of Police and Public Safety to ensure the residents of St. George receive appropriate public safety services. The Chief of Police and Public Safety shall consistently work with the entities outlined above to ensure all those within the boundaries of the City receive appropriate services and update the Council on this topic regularly.
- I. In times of emergency, the Chief of Police and Public Safety shall serve as a representative of the City to relevant parish, state, and federal emergency management offices in coordination with the Mayor and City Manager.

#### **4. Council Administrator.**

The Council shall appoint and set the compensation of a Council Administrator who shall act as an administrator of the Council. It shall be the duty of the Council Administrator to keep a journal of the proceedings of the Council. The Council Administrator shall also serve as the official tax collector of the City. The Council Administrator shall perform such other duties as may be prescribed by this Charter or the Council.

## **Article III: Financial Management**

### **1. Fiscal Year.**

The fiscal year of the City shall begin on the first day of July and end on the last day of June of the following year.

### **2. Operating Budget.**

- A. The City Manager shall prepare and submit to the Council an operating budget no later than three months before the beginning of the fiscal year.
- B. The operating budget shall be prepared and implemented in accordance with applicable law and guidelines as may be established by the Council.

- C. To meet a public emergency affecting life, health, property, and/or public peace, the Council may make emergency appropriations. Such appropriations shall be made by emergency Ordinance in accordance with the provisions of this Charter. To the extent that there are no available unappropriated revenues to meet such appropriations, the Council may, by such emergency Ordinance, borrow money in sums necessary to meet the emergency. The repayment of such sums shall be in accordance with procedures established by law.

### **3. Capital Budget.**

- A. The City Manager shall prepare and submit to the Council a multi-year capital program no later than three months before the beginning of the fiscal year.
- B. The capital program shall include:
  - 1 A clear general summary of its contents;
  - 2 Identification of the long-term goals of the community;
  - 3 A list of all capital improvements and other capital expenditures proposed to be undertaken during the fiscal years next ensuing, with appropriate supporting information as to the necessity for each;
  - 4 Cost estimates and recommended time schedules for each improvement or other capital expenditure;
  - 5 Method of financing upon which each capital expenditure is to be reliant;
  - 6 The estimated annual cost of operating and maintaining the facilities to be constructed or acquired;
  - 7 A commentary on how the plan addresses the sustainability of the community and the region of which it is a part; and
  - 8 Methods to measure outcomes and performance of the capital plan related to the long-term goals of the community.

The capital program shall be revised and extended each year with regard to capital improvements still pending or in the process of construction or acquisition.

### **4. City Council Action on Capital Program.**

- A. The Council shall publish the general summary of the capital program and a notice stating:
  - 1 The times and places where copies of the capital program are available for inspection and
  - 2 The time and place, not less than two weeks after such publication, for a public hearing(s) on the capital program.
- B. The Council, by Resolution, shall adopt the capital program with or without amendment after the public hearing and no later than 15 calendar days prior to the beginning of each fiscal year.

### **5. Administration of Operating and Capital Budgets.**

- A. No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with the approved operating and capital budgets and appropriations duly made and unless the City Manager or City Manager's designee first certifies there is a sufficient unencumbered balance in such allotment or appropriation and sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. However, this provision shall not limit the authority to borrow funds in anticipation of revenues as provided by law. Any authorization of payment or incurring of obligation in violation of this Charter shall be void, and any payment so made illegal. Such action shall be cause for the removal of any official, officer, or Employee who knowingly authorized or made such payment or incurred such obligation or who caused such payment to be authorized or made or obligation to be incurred. Such persons shall also be liable to the City for any amount so paid.

- B. Nothing in this Charter shall be construed so as to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, provided such action is authorized by Ordinance, except contracts for services not covered by the public bid law shall be for a period not to exceed three years.
- C. Deficit spending is prohibited except for emergencies, as provided in Article III, Section 2, Operating Budget.

## ***6. Lapse of Appropriations.***

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any appropriation shall be deemed abandoned if one year passes without any disbursement from or encumbrance of the appropriation.

## ***7. Bonded Debt.***

The City is empowered to incur bonded debt in accordance with this Charter and the Louisiana Constitution and laws. When approval of the electorate is required, no Resolution shall be enacted calling for a referendum to incur a bonded debt until an engineering and economic feasibility report has been presented to the Council and a summary thereof published in the official journal at least 60 calendar days prior to the proposed election date.

## ***8. Electronic Signatures.***

Electronic signatures are authorized for negotiable instruments and multiple certificates of indebtedness or other debt obligations in those cases where an official is required by law to sign.

## ***9. Purchasing.***

Purchasing of all property, supplies, materials, and services shall be under a central purchasing system and in accordance with applicable law and administrative requirements.

## ***10. Independent Audit.***

The Council shall provide for an annual independent post-fiscal year financial audit, and such additional audits as it deems necessary, of the accounts and other evidence of financial transactions of the City, including those of all City departments, offices, or agencies. The Council shall designate an independent auditor to make such audits. The independent auditor shall have no personal interest in the affairs subject to audit, shall not participate in budget preparation or adoption, and shall be a certified public accountant or firm of such accountants. The audit report shall be submitted to the Council at a regularly scheduled meeting and shall be a public record. A summary of the audit shall be published at least once in the official journal.

# Article IV: Initiative, Referendum, Recall, and Removal by Suit

## ***1. Initiative and Referendum.***

The electors of the City shall have the power, except as herein restricted, to propose to the Council passage or repeal of Ordinances and to vote on the question if the Council refuses action. This power shall not extend to proposing or repealing Ordinances, making or reducing the appropriation of money, setting the compensation of City officers or Employees, or authorizing the repeal or reduction of the levy of any taxes. The initiative power shall be exercised in the following manner.

- A. The person or persons proposing the exercise of this power shall submit the proposal to the Council, which shall specify within 30 calendar days a form of the petition for circulation in one or multiple copies as the proposer may desire. The petition shall contain the full text of the proposed Ordinance.
- B. Within 60 calendar days after the form of the petition has been specified, the proposers shall obtain the signatures of at least 15 percent of the total registered electors of the City. There shall be noted after each signature on the petition the date signed, the address of the signer, the name of the person who witnessed the signature, and the date on which the person witnessed the signature. Each person circulating a copy of the petition shall attach a sworn affidavit to the petition stating the number of signers and the fact that each signature was made in the presence of the circulator of the petition.
- C. The signed petition shall be filed with the Council within 60 calendar days of the specification of the form of the petition, and within 30 calendar days, the Council shall order a canvass of the signatures thereon to determine the sufficiency and authenticity of the signatures. The Council's canvass shall be completed within 30 calendar days. If the number of signatures is insufficient or the petition is deficient as to form or compliance with this section, the Council shall notify the person or persons filing the petition of such insufficiency and allow 30 calendar days for filing of additional papers, at the end of which time the sufficiency or insufficiency of the petition shall be determined finally.
- D. Within 30 calendar days after a petition has been certified as sufficient by the Council, the Council shall cause the proposed Ordinance, or a summary thereof, to be published in the official journal of the City at least once, together with a notice of the date, time, and place of the public hearing at which it will be considered for enactment which notice shall appear at least ten calendar days prior to the hearing. The Council shall hold the public hearing at the time and place advertised. Subsequent to the hearing, the Council shall either:
  - 1 Adopt the proposed Ordinance submitted in the initiative petition, without substantive amendments, or effect the repeal of the Ordinance referred to by such petition, or
  - 2 Determine to submit the proposal to the electors.
- E. If the Council adopts an Ordinance following the submission of an initiative petition, the Ordinance shall be treated in all respects in the same manner as other Ordinances of the same kind adopted by the Council.
- F. If an initiative Ordinance is submitted to a vote of the electors, the election shall take place at the next available election date after the public hearing. The results shall be determined by a majority vote of the electors voting on the proposal.
- G. If a majority of the qualified electors voting on a proposed initiative Ordinance vote in its favor, the Ordinance shall be enacted upon certification of the election results. If conflicting Ordinances are approved at the same election, the Ordinance receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.



- H. An Ordinance adopted by the electorate through the initiative process shall not be amended or repealed by Council action during the Term of the Mayor in which it was adopted. The Council, however, may submit proposals amending or repealing such Ordinances to a vote of the electors.

## **2. Recall.**

Any elected official of the City may be removed from office by the electors of the City through the recall procedure set forth by law.

## **3. Removal by Suit.**

Any elected official of the City may be removed from office as provided for in the Louisiana Constitution and laws.

# **Article V: Public Engagement**

## **1. Public Engagement as an Essential Part of Civic Infrastructure.**

- A. The City shall treat public engagement as an integral part of effective and trusted governance, not just as an occasional process or activity.
- B. The City shall treat engagement as a “multi-channel” endeavor that includes face-to-face meetings, virtual interactions, and other online communications.
- C. The elected officials, staff, and contractors of the City shall encourage collaboration in public engagement efforts with other government jurisdictions and authorities, anchor institutions, community-based organizations, civic groups, and individual residents.

## **2. Institutional Structures to Support and Coordinate Engagement.**

- A. The Council shall establish institutional structures to oversee, support, coordinate, track, and measure engagement on an ongoing basis. These structures can include but are not limited to:
  - 1 Council committees including residents and other stakeholders
  - 2 Departments or administrative positions
  - 3 Contracted roles
  - 4 Public engagement commissions
  - 5 Community advisory boards, including boards designated to address the concerns of specific populations
  - 6 Youth commissions
  - 7 Participatory budgeting processes and commissions

## **3. Planning and Zoning Commission**

The Council shall establish a Planning and Zoning Commission which shall consist of at least seven members who shall be qualified electors of the City. The members of the Planning and Zoning Commission shall serve four-year terms which shall be staggered. Members of the Planning and Zoning Commission shall have all authority conferred to municipal Planning and/or Zoning Commissions by Louisiana law and delegated by the Council.

# Article VI: General Provisions

## **1. Legal Process.**

Legal process against the City shall be served upon the Mayor or, in the Mayor's absence, upon the Mayor Pro Tempore.

## **2. Public Safety.**

- A. The City shall have no paid police force, as the East Baton Rouge Sheriff provides law enforcement services within the boundaries of the City.
- B. The City shall have no paid fire department or staff, as East Side Fire Protection District No. 5 and St. George Fire Protection District No. 2 provide fire safety services within the boundaries of the City.
- C. The City shall have no paid emergency medical services department or staff, as the East Baton Rouge Parish Emergency Medical Services, St. George Fire Protection District No. 2, and/or any private provider approved by the Council provide emergency medical services within the boundaries of the City.

## **3. Code of Ethics.**

All officers, officials, and Employees of the City shall comply with the applicable provisions of the Louisiana Code of Ethics.

## **4. Oath of Office.**

All elected officials of the City shall take the constitutional oath of office to be administered by any qualified person.

## **5. Reconstitution of Government.**

In the event of war or public disaster that incapacitates the Mayor and/or a majority of the Council, the remaining members of the Council may act on an emergency basis and shall appoint such other officials as are necessary to reconstitute the City government. It is the intent of this section that these emergency powers shall subsist only so long as an emergency exists and that regularly constituted elections shall be held as soon as it is judicially determined that conditions permit their being held.

## **6. Bonding of Officers.**

City officers or Employees, as the Council may designate, shall give bonds in the amount and with the surety prescribed by the Council. The premiums on such bonds shall be paid by the City.

## **7. Charter Review Commission.**

Beginning in 2030 and every subsequent ten years, the Council shall convene a Home Rule Charter Review Commission to examine the St. George Home Rule Charter. The Council shall issue the call for a commission within the first month of the calendar year. The Mayor shall appoint the commission members, including both elected officials and residents, subject to approval by the Council. All commission members shall be at least

18 years of age, a qualified elector of the City, and legally domiciled within the City. The commission shall follow the process provided by law for the amendment of home rule charters.

## **8. Severability.**

If any provision of this Charter is declared invalid for any reason, the invalid provision shall not affect the validity of this Charter or any other valid provisions thereof.

# **Article VII: Charter Amendment**

## **1. Amending or Repealing the Charter.**

- A. Proposals to amend or repeal this Charter may be made by the Council: by Three-fourths of the Authorized Membership, a Charter commission with the majority approval of the Council, or by petition signed by not less than 25 percent of the electors of the City. The procedures and time limits for filing such a petition, holding a public hearing on the matter, and calling an election on the petition request shall be the same as in Article IV, Initiative, Referendum, Recall, and Removal by Suit. A petition shall contain the full text of the proposed amendment.
- B. Proposals to amend or repeal this Charter shall be submitted for ratification to the electors of the City, at the next available election. The results shall be determined by a majority vote of the electors voting on any particular proposal.
- C. Proposals by the Council and by petition may be submitted to the electors at the same election, and electors may, at their option, accept or reject any or all such proposals. Should conflicting proposals be approved at the same election, the proposal receiving the greater number of affirmative votes shall prevail to the extent of such conflict.
- D. Proposals to amend or repeal the same sections of this Charter shall not be submitted more often than every two years, and no amendment or repeal shall shorten the Term of Office for which any official was elected or reduce the compensation of the official during a Term of Office.

# **Article VIII: Transition**

## **1. Continuation of Actions.**

All actions, Ordinances, administrative rules, and regulations of the City in force prior to the effective date of this Charter shall, insofar as they are not inconsistent with this Charter, remain in full force and effect until amended or repealed by the Council or until they expire by their own limitation.

## **2. Schedule of Transition.**

The provisions of this Charter pertaining to the election of City officials created hereunder shall become effective on June 30, 2025. The remaining provisions of this Charter shall become effective on July 1, 2025.

## **3. Election of Officials.**

- A. Upon approval of the Charter by the electors of the City of St. George, the candidates elected in the municipal elections in the Spring of 2025 shall take office as described below on July 1, 2025.

- 1 The individual elected Mayor shall assume the office of Mayor.
  - 2 The individuals elected to Council districts 1, 2, 3, 4, and 5 shall assume the corresponding offices.
  - 3 The individuals elected to At-large seats A and B shall assume the corresponding offices.
  - 4 The individual elected chief of police shall assume the office of Chief of Police and Public Safety.
- B. The first election for the officials provided for by this Charter shall be held in the fall primary and general elections of 2029. Officials shall take office on January 1st following the election. The Terms of Office for Officials shall be staggered as follows:
- 1 In 2029, elections for Mayor, Chief of Police and Public Safety, Council Member At-large seat A, and Council Districts 2 and 4 shall be for a five-year term beginning on January 1, 2030.
  - 2 In 2029, elections for Council Member At-large seat B and Council Districts 1, 3, and 5 shall be for a three-year term beginning on January 1, 2030.
- C. After the initial staggered terms, all City officials shall serve four-year Terms of Office. For the purpose of term limits, the initial staggered terms, whether three years or five years, will be considered a full Term of Office.