

ORDINANCE  
CITY OF NEW ORLEANS  
CITY HALL: November 19, 2012  
CALENDAR NO. 30,004  
NO. 50 MAYOR COUNCIL SERIES  
BY: COUNCILMEMBER ABEL S. DELGADO

AN ORDINANCE to mandate that city departments survey the need for improved services for Limited English Proficient persons who reside in the City of New Orleans and work with the Office of Neighborhood Engagement and the Chief Administrative Office to improve these services.

WHEREAS, it is in the interest of the City of New Orleans to deliver effective, courteous, and responsive services for all of its residents, including those who have limited proficiency in English; and

WHEREAS, city departments require additional funding in order to address the needs of residents with limited proficiency in English; and

WHEREAS, the Mayor and the City Council seek to encourage departments to generate innovative and creative budget proposals that achieve results reflecting the city's values;

NOW, THEREFORE:

1 SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY ORDAINS, That

2 Section 171 of the City Code hereby reads as follows:

3 Sec. 171-1. - Title

4 This Ordinance is known and may be referred to and cited as the "Language Access  
5 Ordinance of the City of New Orleans."

6 Sec. 171-2. - Purposes

7 The purposes of this Ordinance are to: (a) increase the accessibility of Limited English  
8 Proficient persons to government services; (b) mandate that city departments formulate and

1 deliver surveys and plans to the Office of Neighborhood Engagement, including strategies to  
2 provide improved services and translations to Limited English Proficient persons; and (c)  
3 encourage and facilitate the hiring of multilingual employees in order to improve services to  
4 Limited English Proficient persons by providing a central resource for translation of various  
5 materials.

#### 6 Sec. 171-3. -Definitions

7 When used in this Ordinance:

8 (a) “City” means the City of New Orleans.

9 (b) “Department” means any organizational unit of a governmental entity that submits a  
10 budget proposal to the City Council for approval.

11 (c) “Limited English Proficient persons” means individuals who are not able to communicate  
12 effectively in English because English is not the individual’s primary language.

13 (d) “Multilingual Employee” means a city employee who is proficient in speaking, reading,  
14 and writing in English as well as in a language other than English that is spoken by not  
15 less than 10,000 persons in the city.

#### 16 Sec 171-4. - Office of Neighborhood Engagement

17 The Office of Neighborhood Engagement shall hire multilingual staff to assist the city’s  
18 departments improving language access to their services. The Office of Neighborhood  
19 Engagement shall receive increased budget allocations from the City Council to implement plans  
20 to hire the requisite multilingual staff. After the Office of Neighborhood Engagement is allocated  
21 funds for this purpose, it must present information to the City Council during the following  
22 year’s budget allocation process on how it used the funds and why it merits a continued budget  
23 allocation for the purpose of multilingual hiring.

1    Sec 171-5. – Language Access Surveys

2            Within six months of the passage of this Ordinance, the Office of Neighborhood Engagement  
3    shall collect surveys from each of the city’s departments regarding the current status of language  
4    access and any need a department has for increased budget allocations to improve language  
5    access. Within three months after collecting the surveys, the Office of Neighborhood  
6    Engagement shall analyze them and present its findings to the City Council.

7    Sec. 171-6. - Complaint Form

8            The Chief Administrative Office shall prepare and place on the city’s website a complaint  
9    form translated into Spanish and Vietnamese so that Limited English Proficient persons can file  
10   complaints regarding the services, or the lack thereof, offered by city departments. The Office of  
11   Performance and Accountability shall devise a system for reporting and complaint processing.  
12   Any complaints filed through these forms shall be submitted to the proper department so that the  
13   department can identify problems and improve services.

14   Sec. 171-7. - Translation of Materials

15            The Office of Neighborhood Engagement shall receive increased budget allocations to  
16   develop plans to translate the following written materials that provide vital information for  
17   Limited English Proficient persons about government services:

18            (a) written materials disseminated to the public, including but not limited to brochures or  
19            outreach materials;

20            (b) applications or forms to participate in a department’s programs or to receive its benefits  
21            or services;

22            (c) written notices of fines;

23            (d) materials explaining a department’s services or programs;

- (e) rights to, determination of eligibility for an award of a benefit, city service, or program;
- (f) denial of, loss of, or decrease in a benefit, city service, or program, including the right to appeal any department's decision; or
- (g) any other written documents that have the potential for determining eligibility for or access to a department's services.

#### Sec. 171-6. - Prioritization of Budget Allocations

The City Council shall prioritize budget allocations to improve language access in departments that provide services essential to emergency response and due process protections for the residents of New Orleans, including the Fire Department, Police Department, Health-Emergency Medical Services, Human Services, District Attorney, Juvenile Court, First City Court, Civil Court, Municipal Court, Traffic Court, Criminal District Court, Sheriff's Department, and Clerk of Criminal District Court.

#### Sec. 171-9. - Recorded Telephone Messages

In addition to English, departments must maintain recorded telephone messages in Spanish, Vietnamese, and any other language spoken by 10,000 or more residents of New Orleans. These messages must contain basic information about the department's operations, including at least the following: business hours, location(s), services and the means of accessing such services, and the availability of language assistance.

#### Sec 171-10. – Recruitment

Departments shall publicize job openings as widely as possible, including in non-English media.

#### Sec. 171-11.

- 1 THE COUNCIL OF THE CITY OF NEW ORLEANS FURTHER ORDAINS, This ordinance
- 2 is effective on January 1, 2013.