

**ORDINANCE**

**CITY OF NEW ORLEANS**

**CITY HALL:** December 6, 2012

**CALENDAR NO:** 29,338

**NO. \_\_\_\_\_ MAYOR COUNCIL SERIES**

**BY: COUNCILMEMBERS HEAD, CLARKSON AND GISLESON PALMER (BY REQUEST)**

**AN ORDINANCE** to amend and reordain Ordinance No. 24,913 M.C.S., an ordinance to provide for the designation of public property within specified areas of the City of New Orleans as a temporary “Clean Zone” during the time period beginning at six o’clock (6:00) A.M. on Monday, January 28, 2013, and ending at six o’clock (6:00) P.M. on Tuesday, February 5, 2013, relative to the use of these areas in conjunction with the 2013 National Football League’s Super Bowl XLVII and related activities and events; to provide for the temporary suspension of certain permits in the Clean Zone area, to provide for the temporary prohibition of the transaction of certain business and/or commercial activity in the Clean Zone area; to provide for the establishment of public participation areas; to provide for the establishment of fines and penalties for violations of this ordinance; to establish the Clean Zone and otherwise to provide with respect hereto the area bounded by Earhart Boulevard to Calliope Street; Religious Street to Orange Street proceeding across the Mississippi River along the West bank Levee (at the Orleans Parish Line); continuing across the Mississippi River to Elysian Fields Avenue (including Crescent Park); North Claiborne

Avenue to Tulane Avenue; North Broad to Earhart Boulevard, to clarify that said clean zone applies to certain areas, including but not limited to the Louisiana Superdome property (Champion Square), the New Orleans Arena, and the Ernest N. Morial Convention Center property; and otherwise to provide with respect thereto.

1           **SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**  
2 **ORDAINS** that Ordinance No. 24,913, M.C.S. be and the same is hereby amended and  
3 reordained to read as follows:

4           **“SECTION 1. THE COUNCIL OF THE CITY OF NEW ORLEANS HEREBY**  
5 **ORDAINS**, that there is hereby established Clean Zone as follows:

- 6           a.       The area bounded by Earhart Boulevard to Calliope Street; Religious Street to  
7                   Orange Street proceeding across the Mississippi River along the West bank Levee  
8                   (at the Orleans Parish line); continuing across the Mississippi River to Elysian  
9                   Fields Avenue (including Crescent Park); North Claiborne Avenue to Tulane  
10                  Avenue; North Broad to Earhart Boulevard; and including the Louisiana  
11                  Superdome property (Champion Square), the New Orleans Arena, and the Ernest  
12                  N. Morial Convention Center property.

1           **SECTION 2.** The Clean Zone defined in Section 1 shall have a duration beginning at six  
2 o'clock (6:00) A.M. on Monday, January 28, 2013, and ending at six o'clock (6:00) P.M. on  
3 Tuesday, February 5, 2013.

1           **SECTION 3.** Within the Clean Zone the activities described below conducted by any  
2 person or entity, except those approved by both the City and the National Football League shall  
3 be regulated as follows:

- 4 a. No person shall transact any business upon the public streets or sidewalks.
- 5 b. The sale of any food or beverages shall be prohibited on the public streets,  
6 sidewalks or right of ways and outside of an enclosed building.
- 7 c. The sale of merchandise and/or the transaction of business shall be prohibited on  
8 the public streets, sidewalks or right of ways and outside of an enclosed building.
- 9 d. No alcoholic beverages shall be provided, served or sold from any temporary  
10 outdoor use, unless such temporary structure was approved pursuant to (l) below.
- 11 e. All permits relative to the sale of merchandise and/or the transaction of business  
12 shall be suspended on the public streets, sidewalks or right of ways and outside of  
13 any enclosed building.
- 14 f. All permits relative to the sale of food or beverages shall be suspended on the  
15 public streets, sidewalks or right of ways and outside of an enclosed building,  
16 except for those sales permitted and approved for the 2013 Mardi Gras season.
- 17 g. Mardi Gras vendors permitted for sales on public streets, sidewalks or right of  
18 ways and outside of enclosed building shall not display commercial branding and  
19 advertisement in conflict with the official sponsors and partners of the National  
20 Football League (NFL).
- 21 h. Mobile or push-cart vending is prohibited in the Clean Zone during the week of  
22 Monday, January 28, 2013 through Tuesday, February 5, 2013. All mobile or  
23 push-cart permits will be suspended through this period.
- 24 i. The sale or distribution of unauthorized or illegal, non-licensed merchandise,  
25 regardless of whether the person selling or distributing is operating pursuant to a

26 special permit, exception or exemption provided for in this ordinance or  
27 elsewhere in the City Code, shall be prohibited.

28 j. Inflatables, cold air balloons, banners, pennants, flags, building wraps, A-frame  
29 signs, projected image signs, electronic variable message signs, and light emitting  
30 diode signs of any kind shall be prohibited except for those sanctioned or  
31 authorized by the City (subject to the requirements set forth in Section 4 below) or  
32 by the National Football League (NFL).

33 k. General and mobile advertising (including, but not limited to, signs on or attached  
34 to a vehicle, portable device or person) shall be prohibited except for promotional  
35 displays sanctioned or authorized by the City (subject to the requirements set forth  
36 in SECTION 4 below) or by the National Football League (NFL), including, but  
37 not limited to, those placed on existing public utility poles.

38 l. The construction, placement, occupation, or use of any temporary structure  
39 (including, but not limited to, temporary location of tents, canopies and air-  
40 supported, air-inflated, and tensioned membranes) shall be prohibited except  
41 those sanctioned and authorized by the City, the National Football League (NFL)  
42 or the Superintendent of Police for public safety purposes, and approved by the  
43 Superintendent of Fire.

44 m. All temporary structures sanctioned and authorized by the City and the National  
45 Football League shall be white structures only.

46 n. The erection or placement of mobile wireless communication facilities shall be  
47 prohibited except those sanctioned by the National Football League (NFL). A

48 mobile wireless communication facility is defined as a structure, antenna or trailer  
49 that is temporary and portable in nature and used to provide or increase wireless  
50 cellular communication.

51 o. The distribution or provision of free products, service or coupons (otherwise  
52 referred to as sampling) and other promotional giveaways shall be prohibited  
53 except if such activities are sanctioned and authorized by the National Football  
54 League.

1 **SECTION 4.** Any temporary signage approved by the City pursuant to SECTION 3  
2 above shall be required to consist of at least 60% Super Bowl/NFL branding, look and feel, and  
3 no more than 40% third party commercial identification.

1 **SECTION 5.** Nothing in this ordinance shall be construed as a repeal or suspension of  
2 any existing laws prohibiting or governing the issuance of permits outside of “Clean Zone”  
3 geographical boundaries.

1 **SECTION 6.** One or more Public Participation Areas shall be established within or  
2 around the Clean Zone. Each Public Participation Area shall allow for the reasonable expression  
3 by the public in a manner that shall not be disruptive to the 2013 National Football League’s  
4 Super Bowl XLVII, activities and events. Public Participation Zones shall be provided for  
5 during such reasonable times, and in such reasonable locations or proximity in and/or around the  
6 Clean Zone as to allow for meaningful and effective expression by the public.

1 **SECTION 7.** The violation of any provision of this ordinance shall be punishable by a  
2 fine not exceeding \$500 or by imprisonment for not more than six months or both such fine and  
3 imprisonment.

1           **SECTION 8.** If any of the provisions of this ordinance are for any reason held to be  
2 unconstitutional or invalid by a court of competent jurisdiction, such holding shall not affect the  
3 validity of the remaining portions, and those remaining portions shall be and remain in full force  
4 and effect.”

**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:**