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A City of Lafayette, Colorado, Climate Bill of Rights and Protections

Be it therefore enacted:

§1.0 Findings

We the people of Lafayette Colorado, declare alignment with the Seven Generations principle of the indigenous First Nations, understand the environment as common to all and base our actions upon its indefinite protection;

We the People of the City of Lafayette, Colorado, find that global environmental destruction, which includes degradation to the climate, ecosystems, flora, fauna, land, and water, constitutes an emergency that threatens our very survival;

We the People of the City of Lafayette, Colorado, find that the extraction of coal, oil and gas, and disposal of drilling waste within the City would significantly contribute to global environmental destruction; and therefore,

We the People of the City of Lafayette, Colorado, declare that we have a right to a healthy climate, and that right is violated by the extraction of coal, oil and gas, and disposal of drilling waste within the City.

§2.0 A City of Lafayette, Colorado, Climate Bill of Rights

(a) *Right to a Healthy Climate.* All residents and ecosystems of the City of Lafayette possess a right to a healthy climate, which shall include the right to be free from all activities that interfere with that right, including the extraction of coal, oil, or gas, or disposal of drilling waste within the City of Lafayette.

(b) *Right to Local, Community Self-Government.* All residents of the City of Lafayette possess the right to a form of governance which recognizes that all power is inherent in the people of the City and that all free governments are founded on the people's authority and consent. Laws adopted by the people of the City shall only be preempted or nullified if they interfere with rights secured by the state or federal constitution to the people of the City, or if they interfere with protections provided to the people or ecosystems of the City by state, federal, or international law.

(c) *Right to Enforce.* All residents of the City of Lafayette possess the right to enforce this law. To secure this right, entities which violate the people's right to a healthy climate shall not be deemed to be "persons," nor possess any other legal rights, privileges, powers, or protections which would interfere with the enforcement of that right.

(d) *Right to Defense.* Residents of the City of Lafayette possess the right to have the City government of Lafayette defend this law on the basis that a constitutional right of local, community self-government exists, that this law is an assertion of that right as it seeks to expand the rights of the people of the City of Lafayette, and that the doctrines of ceiling preemption, municipal subordinancy to state government, or corporate "rights" unconstitutionally violate the right of the residents of the City of Lafayette to local, community self-government.

§3.0 Direct Enforcement

(a) *Direct Action Enforcement.* If the City of Lafayette fails to enforce or defend this law, or a court fails to uphold this law, any person may enforce this law through nonviolent direct action. If nonviolent direct action is taken to enforce the provisions of this law, law enforcement personnel employed by the City of Lafayette shall be prohibited from arresting or detaining persons directly enforcing this law. “Direct action” as used by this provision shall mean any activities carried out to directly enforce the prohibitions of this law.