

## CHAPTER 4

### OFFICE OF INSPECTOR GENERAL; ETHICS

#### Section 9-401. Office of Inspector General.

- (1) The Council shall by ordinance create an Office of Inspector General (OIG) and otherwise provide with respect thereto.
- (2) The OIG shall provide for a full-time program of investigation, audit, inspections, and performance review to provide increased accountability and oversight of entities of city government or entities receiving funds through the city, and to assist in improving agency operations and deterring and identifying, fraud, waste, abuse, and illegal acts. The OIG is specifically authorized to conduct audits of City entities. The OIG shall also provide for an Independent Police Monitor Division, charged with monitoring the operations of the New Orleans Police Department, particularly in the areas of civilian and internally-generated complaints, internal investigations, discipline, significant uses of force, and in custody deaths.
- (3) The OIG, in conjunction with the Ethics Review Board, shall receive an annual appropriation from the Council in an amount not less than .75% (three-quarters of one percent) of the General Fund operating budget, adopted pursuant to Section 3-115(2), which individual appropriation may not be vetoed by the Mayor, notwithstanding the Mayor's authority pursuant to Section 3-113(4) to disapprove or reduce any item or items of appropriation, and also notwithstanding the Mayor's authority pursuant to Section 3-113(2) to disapprove any ordinance in its entirety. The Council may by ordinance, adopted by unanimous vote of a quorum, provide for deviation from this percentage in cases of natural disaster or other extreme circumstances. Of the budget percentage specified in this paragraph, an amount shall be allocated for the operation of the Ethics Review Board adequate to implement its functions efficiently and effectively.
- (4) The OIG may retain special counsel notwithstanding the provisions of Section 4-403 of this Charter.

#### Section 9-402. Ethics.

- (1) Prior to July 1, 1996, the Council shall by ordinance establish an Ethics Review Board and shall authorize it to enforce the provisions of the Code

of Ethics. Six members of the Board, all of whom are domiciled in and electors of the City, shall be appointed by the Mayor from lists of three nominees each submitted by the presidents or chancellors of the public and private universities located within the City of New Orleans, and one additional member shall be appointed by the Mayor, all appointments subject to approval by a majority of the members of the City council. No member of the ethics Review Board may hold any elective or appointed position with the city nor any other government or political party office. A vacancy on the Board shall be filled in the same manner as the original appointment. A member of the Board may be removed by the Mayor only for cause in accordance with the procedures established in Section 9-104 of the Charter and by the council in accordance with the procedures and for the reasons established in Section 3-125 of this Charter. The City Council shall authorize the Ethics Review Board to establish additional recommendations for the code of Ethics, to issue advisory opinions, to promulgate rules regarding the interpretation and enforcement of the Code of Ethics, to refer cases for investigation on referral or complaint, to retain counsel, and to impose fines.

- (2) Prior to December 31, 1996, the City Council, upon recommendation from the Ethics Review Board, shall by ordinance establish ethical rules governing the conduct of City employees, elected officials, contractors, and other persons who are the recipients of public funds, who are engaged in the performance of a governmental function, or who are in a position to influence the conduct of City employees or officials. The Code of Ethics shall incorporate by reference and adopt the provisions of the Louisiana Code of Governmental Ethics and shall provide for such other, more stringent provisions as the Council may deem appropriate. The Code of Ethics shall prohibit the Ethics Review Board from hearing any alleged violation that constitutes a violation of the State Code of Governmental Ethics if the Ethics Review Board ascertains that the entity designated by the State to enforce said State Code has considered or is considering the alleged violation.
- (3) Once adopted, the ordinances referenced in this section may be amended only by an ordinance receiving a two-thirds favorable vote of the entire membership of the Council.