

The Home Rule Charter of the City of New Orleans
Article IX

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.