

By Laws of the Ethics Review Board

The City of New Orleans

Article I – Name

The name of this Board as provided in Article IX, Chapter 4 of the Charter shall be the Ethics Review Board, hereinafter referred to as the “Board” or the “ERB”.

Article II – Purpose

Pursuant to section 9-402 of the Home Rule Charter, the ERB may establish additional recommendations for the code of ethics, issue advisory opinions, promulgate rules regarding the interpretation and enforcement of the city’s code of ethics, refer cases for investigation on referral or complaint, retain counsel, and impose fines.

Article III – Membership

Membership. The Board shall consist of seven members. 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 Dillard University, Loyola University, Southern University of New Orleans (SUNO), Tulane University, University of New Orleans (UNO), and Xavier University. One additional member shall be appointed by the mayor. Each appointment is subject to approval by a majority of the members of the city council.

Qualifications. No member may hold any elective or appointed position with the city nor any other government or political party office or have held such position within two years before appointment to the ethics review board.

Removal. A member of the ethics review board may be removed by the mayor only for cause in accordance with the procedures established in section 9-104 of the Home Rule Charter and by the council in accordance with the procedures and for the reasons established in section 3-125 of the Home Rule Charter.

Vacancy. Within ten days of a president’s or chancellor’s recommended appointee’s vacancy being created, the mayor shall request the university presidents or chancellors to submit within 30 days lists of three nominees each to the mayor for consideration to fill the unexpired term. Within 30 days of receiving the list of nominees, the mayor shall submit a selection to the council for its consideration. Within 30 days of an unaffiliated appointee’s vacancy being created, the mayor shall submit a suggested replacement to the council for its consideration. Within 30 days of receiving a mayoral nomination, the council shall approve or reject the appointment.

Term. The terms of the initial members shall be as follows: One member shall be appointed for a term to expire June 30 of the first year; one member shall be appointed for a term to expire on June 30 of the second year; one member shall be appointed for a term to expire on June 30 of the third year; one member shall be appointed for a term to expire on June 30 of the fourth year; one member shall be appointed for a term to expire on June 30 of the fifth year; one member shall be appointed for a term to expire on June 30 on the sixth year; and one member shall be appointed for a term to expire on June 30 of the seventh year. At the expiration of the term of each initial member and of each succeeding member, a successor shall be appointed to serve for a term of seven years. Each such term shall expire on June 30 of the seventh year.

Article IV – Officers

Section 1. Personnel

The officers shall consist of a Chair, Vice Chair and Recording Secretary, all to be elected from the Board.

Section 2. Duties

A. Chair

The Chair shall preside at all meetings of the ERB and the Executive Committee, shall make all appointments, and when necessary, shall call special meetings. The Chair shall be the accredited representative of the ERB at outside meetings unless delegating this power to another member of the Board. The Chair shall be the official spokesperson for the ERB.

B. Vice Chair

The Vice Chair shall perform all the duties of the Chair in the case of an inability to serve.

C. Recording Secretary

The Recording Secretary shall keep the minutes of the proceedings of both the ERB and the Executive Committee meetings for public record. In the absence of both the Chair and Vice Chair, the Recording Secretary shall conduct the meeting. The Recording Secretary shall distribute meeting notices.

Article V – Committees

A. Executive Committee

The Executive Committee shall consist of the three elected officers.

B. ERB

The Ethics Review Board shall have the responsibility to develop and approve By Laws. It shall adopt rules and procedures to enforce the City of New Orleans' code of ethics. It shall conduct a national search and hire the Inspector General for the City of New Orleans. The Inspector General shall report the Office of Inspector General's activities for the preceding calendar year to the ERB on or before March 31st of each year by line item matters undertaken, costs incurred, costs recovered, matters concluded, and results. The ERB shall receive no later than September 1st of each year, an annual work plan from the Inspector General.

Article VI – Meetings

- A. Regular meetings of the ERB shall be open to the public in accordance with applicable state and municipal law. The time, date, and place shall be decided by the members of the ERB or by the Chair [see Article IV (2)(A)] and shall be in accordance with the applicable open meeting laws.
- B. Four members of the ERB shall constitute a quorum for the purpose of transacting the business of the board.
- C. Executive Sessions shall be called in accordance with the Louisiana open meetings laws.
- D. Public comments may be accepted by the Board in accordance with the rules and procedures.
- E. “Robert’s Rules of Order, Newly Revised” shall be the Parliamentary authority for all matters of procedure not specifically covered by the By Laws.

Article VII – Staff

- A. *Staff.* The board may employ necessary staff in accordance with applicable civil service law and subject to appropriations by the council. The board's operation and procedures shall be governed by Chapter 1 of Article IX of the Home Rule Charter and the applicable state and municipal law.