



# City of Chicago



O2019-326

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:** 1/23/2019

**Sponsor(s):** Moore (49)

**Type:** Ordinance

**Title:** Amendment of Municipal Code Section 2-56-050 concerning powers and duties of Inspector General to investigate conduct of city officers, employees and City Council entities

**Committee(s) Assignment:** Committee on Committees, Rules and Ethics

ORDINANCE

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** Section 2-56-050 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

**2-56-050 Conduct of city officers, employees and other entities.**

(a) ~~(1)~~—The powers and duties of the ~~inspector-general~~ Inspector General shall extend to the conduct of the following: (1) all elected officers and appointed officers of the city ~~City~~ government in the performance of their official duties; (2) all city ~~City~~ employees in the performance of their official duties; (3) lobbyists engaged in the lobbying of elected or appointed city ~~City~~ officers or employees; (4) all contractors and subcontractors in the providing of goods or services to the city ~~City~~, the ~~city-council~~ City Council, any ~~city-council~~ City Council committee or bureau or other service agency of the ~~city-council~~ City Council pursuant to a contract; (5) persons seeking contracts or certification of eligibility for contracts with the city ~~City~~, the ~~city-council~~ City Council, any ~~city-council~~ City Council committee or bureau or other service agency of the ~~city-council~~ City Council; (6) persons seeking certification of eligibility for participation in any city ~~City~~ program; and (7) any corporation, trust, or other entity established by the City pursuant to an ordinance adopted by the City Council on October 11, 2017 and in accordance with Division 13 of Article 8 of the Illinois Municipal Code, codified at 65 ILCS 5/8-13-5, et seq., for the limited purpose of issuing obligations for the benefit of the City. Nothing in this section shall preclude the ~~inspector-general~~ Inspector General from referring a complaint or information to the appropriate local, state or federal inspector general, the appropriate ~~sister-agency~~ Sister Agency, or the appropriate federal, state or local law enforcement authorities.

~~(2) —The powers and duties of the inspector-general relative to the city-council, any member of the city-council, and any city-employee defined as such under subsection 2-56-025(a)(2) or (a)(3), shall be limited to investigating allegations that such person has violated Chapter 2-156 or any other law, order or rule/regulation applicable to such person in the performance of his duties or the discharge of his responsibilities.~~

(b) (1) Notwithstanding any other provision in this chapter to the contrary, if the office Office of the ~~inspector-general~~ Inspector General receives a complaint alleging a violation of Chapter 2-156 against any elected or appointed city officer, city employee or any other person subject to Chapter 2-156, the ~~inspector-general~~ Inspector General, after reviewing the complaint, may only: (i) decline to open an investigation if he determines that the complaint lacks foundation or does not relate to a violation of Chapter 2-156; or (ii) refer the matter to the appropriate authority if he determines that the potential violation is minor and can be resolved internally as a personnel matter; or (iii) open an investigation. The ~~board~~ Board of ~~ethics~~ Ethics shall promulgate, in consultation with the investigating authorities, rules setting forth the criteria to determine whether a potential violation of Chapter 2-156 is minor.

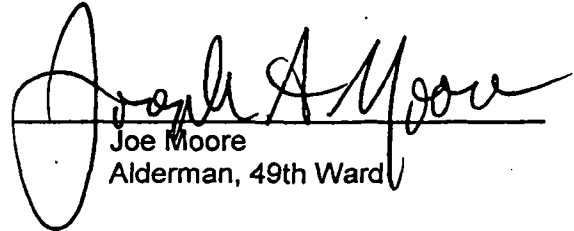
(2) Notwithstanding any other provision in this chapter to the contrary, at any point during an investigation that the ~~inspector-general~~ Inspector General conducts on matters pertaining to violations of Chapter 2-156, the ~~inspector-general~~ Inspector General may only: (i) dismiss the matter and close the investigation based on a finding that the alleged violation is not sustained; or (ii) refer the matter to the appropriate law enforcement authority, if he reasonably believes that the alleged misconduct would violate a criminal statute; or (iii) request a probable cause finding in accordance with Section 2-156-385.

(3) The ~~inspector-general~~ Inspector General shall conclude his investigation of any violation of Chapter 2-156 under his jurisdiction no later than two years from the date of initiating the investigation; provided, however, that any time period during which the person under investigation has taken affirmative action to conceal evidence or delay the investigation,

shall not count towards the two-year period. Notwithstanding any tolling or suspension of time applied, governmental ethics investigations by the ~~inspector-general~~ Inspector General under this Chapter are subject to an absolute four-year time limit from the date of initiation.

(c) Before the ~~inspector-general~~ Inspector General interviews a person subject to investigation or a subpoena in relation to a complaint under his jurisdiction, he shall inform the person of that person's right to be represented by counsel at the interview.

**SECTION 2.** This ordinance shall be in full force and effect upon passage and publication.



Joe Moore  
Alderman, 49th Ward