



# City of Philadelphia

City Council  
Chief Clerk's Office  
402 City Hall  
Philadelphia, PA 19107

## **RESOLUTION NO. 070474 (As Amended, 6/12/07)**

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**Introduced May 24, 2007**

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**Councilmember Campbell**

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**Referred to the  
Committee on Law and Government**

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### **RESOLUTION**

Proposing an amendment to the Philadelphia Home Rule Charter to create the office of the Inspector General, and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,

THAT, the following amendment to the Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

#### ARTICLE II- LEGISLATIVE BRANCH

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#### CHAPTER 2 COUNCILMANIC PROCEDURE

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SECTION 2-202. Submission of Ordinances to the Mayor.

Every ordinance shall, before it takes effect, be certified to the Mayor for his approval. The Mayor shall sign the ordinance if he approves it, whereupon it shall

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become law. If he disapproves it, he shall return it to the Council with the reason for his disapproval at the first meeting thereof held not less than ten days after he receives it. If the Council shall pass the bill by a vote of two-thirds of all of its members within seven days after the bill has been returned with the Mayor's disapproval, it shall become law without his approval. If the Mayor does not return the ordinance within the time required, it shall become law without his approval. The Mayor may disapprove or reduce any item or items of any ordinance making appropriations, except the items in the annual operating budget ordinance making appropriations (a) to the Auditing Department for the compensation of auditors regularly employed by it [and] , (b) for the work of the Personnel Director and the Civil Service Commission, *and (c) for the work of the Inspector General*, which shall become law if any part of the ordinance is approved. Subject only to the foregoing exceptions, the approved part or parts of any ordinance making an appropriation shall become law, and the part or parts disapproved shall not become law unless passed by the Council over the Mayor's veto as provided herein.

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## CHAPTER 3 LEGISLATION

SECTION 2-300. The Annual Operating Budget Ordinance.

\* \* \*

(4) In every annual operating budget ordinance:

\* \* \*

*(f) For the first two fiscal years immediately following the effective date of this subsection, at least \$1,000,000; and for all subsequent fiscal years, an amount adequate to enable the Office of Inspector General to perform the functions assigned to it by this charter, shall be appropriated for the work of the Inspector General. Should the Council fail to make an adequate appropriation to the Inspector General, the Inspector General may petition any court of Common Pleas of Philadelphia County for a mandamus to the Council to perform its duty under this section.*

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## ARTICLE III-EXECUTIVE AND ADMINISTRATIVE BRANCH-ORGANIZATION

### CHAPTER 1

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## OFFICERS, DEPARTMENTS, BOARDS, COMMISSIONS AND OTHER AGENCIES

Section 3-100. Executive and Administrative Officers, Departments, Boards, Commissions and Agencies Designated. The executive and administrative work of the City shall be performed by:

(a) The following elected or appointed officers:

\* \* \*

*Inspector General.*

\* \* \*

## CHAPTER 2 ELECTION OR APPOINTMENT

\* \* \*

*Section 3-212. Inspector General. The Mayor, with the advice and consent of the majority of the members of the Council, shall appoint the Inspector General.*

\* \* \*

## CHAPTER 4 TERMS OF OFFICE

\* \* \*

*Section 3-408. Inspector General. The Inspector General shall serve for a term of four (4) years, may not serve more than two (2) terms and may be removed by the Mayor prior to the expiration of a term only for cause and in accordance with the provisions of this section. The Mayor shall provide a written notice to the Inspector General stating the reasons for removal and file a copy of said notice at the same time with the Inspector General to reply will be provided at a public hearing of the City Council Committee of the Whole at which the Mayor, or the Managing Director if directed by the Mayor, will also present and explain the reasons for removal. A vote of two-thirds of all the members of Council at a meeting of Council shall be required before the Inspector General can be removed.*

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## CHAPTER 6 COMPENSATION

Section 3-600. The Mayor and Other Officers. Until the Council shall otherwise ordain, annual salaries shall be payable in equal semi-monthly installments as follows:

\* \* \*

*Inspector General, \$130,000.*

\* \* \*

## ARTICLE IV EXECUTIVE AND ADMINISTRATIVE BRANCH POWERS AND DUTIES

The Mayor, The City Representative and  
Departments, Boards and Commissions under the Mayor.

\* \* \*

## CHAPTER 16 INSPECTOR GENERAL

*Section 4-1600. Powers and Duties. The Inspector General shall have the power and its duty shall be to perform the following functions, in addition to other powers conferred herein:*

*(a) To receive and investigate criminal and/or serious integrity-related complaints of fraud, corruption, and abuse involving City employees or officials and contractors, vendors, or consultants doing business with the City; and concerning misconduct, inefficiency and waste within the city government;*

*(b) To investigate the performance of governmental officers, governmental offices, employees, functions and programs, either in response to complaints or on the Inspector General's own initiative, in order to detect and prevent misconduct, inefficiency and waste within the programs and operations of the city government;*

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- (c) *To promote economy, efficiency, effectiveness and integrity in the administration of the programs and operations of the City government by reviewing programs, identifying any inefficiencies, waste and potential for misconduct therein, and recommending to the Mayor and the City Council policies and methods for the elimination of inefficiencies and waste, and the prevention of misconduct;*
- (d) *To report to the Mayor concerning results of investigations undertaken by the office of Inspector General and to refer evidence of violation of law to the appropriate enforcement authority such as the Law Department, Board of Ethics, District Attorney, Commonwealth Attorney General, or U.S. Attorney;*
- (e) *To request information related to an investigation from any employee, officer, agent or licensee of the city;*
- (f) *To conduct public hearings, at his discretion, in the course of an investigation hereunder;*
- (g) *To administer oaths and to examine witnesses under oath;*
- (h) *To issue subpoenas to compel the attendance of witnesses for purposes of examination and the production of documents and other items for inspection and/or duplication.*
- (i) *To promulgate rules and regulations for the conduct of investigations and public hearings consistent with the requirements of due process of law and equal protection under the law.*
- (j) *To develop and submit to the appropriate body all budgetary projections for the performance of the duties and obligations herein set forth.*
- (k) *Appoint and fix the compensation of such employees as may be required for the proper conduct of the work of the office of the Inspector General, including, but not limited to, assistant inspector generals. The number and compensation of such employees shall not be subject to the approval of any other officer.*
- (l) *Council shall have the power by ordinance to further detail the powers and duties of the Inspector General in a manner not inconsistent with the provisions of this Section.*

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## ARTICLE VIII PROVISIONS OF GENERAL APPLICATION

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### CHAPTER 4 EXECUTIVE AND ADMINISTRATIVE BRANCH

Section 8-400. Certain General provisions to apply to Certain officers. All of the provisions of this charter which apply generally to department heads or departments, boards and commissions shall apply to the Mayor, the Managing Director, the Director of Finance, the City Treasurer, the City Representative, the Insurance Public Advocate, *the Inspector General* and the Personnel Director and to their offices.

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## APPENDIX

\* \* \*

### CHAPTER A4

#### §A-400. *Inspector General*

(1) *the amendment to the Charter creating the office of the Inspector General shall become effective January 7, 2008.*

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