

## ARTICLE 2

### CHAPTER 5 ETHICS PROVISIONS

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#### 2-5-8 FILING OF COMPLAINT

The City Clerk is authorized to receive and maintain a log of all complaints made against individuals subject to this Chapter 5. Each complaint shall be submitted to the City Attorney. Upon a review of the evidence, the City Attorney shall make a recommendation to the Corporate Authorities as to whether or not prosecution is warranted. The Corporate Authorities shall then, by majority vote including the Mayor, authorize or not authorize prosecution for violation of a local ordinance. If it is a member of the Corporate Authorities who is accused, that member shall not participate in the vote. If the vote is to not authorize prosecution, then neither the City Attorney nor the City Prosecutor may commence prosecution.

For purposes of this Section, prosecution shall mean the filing of an action in the Circuit Court of Cook County, by either the City Attorney or City Prosecutor alleging violations of this Chapter 5. In the event no prosecution is commenced, the City Attorney's log and complaint files shall not be open for public inspection, unless requested by the individual who was the subject of the complaint. However, the person making the complaint shall be notified in writing of the decision of the Corporate Authorities. To the extent that it is practicable to do so, an elected City official should use his or her best efforts to notify, in writing, other elected City officials prior to filing a complaint or charges against any City official or employee. If the complaint is against the City Attorney or if it is otherwise inappropriate for the City Attorney to act, the Corporate Authorities shall retain independent counsel to evaluate and if necessary prosecute the complaint.