

PHILADELPHIA BOARD OF ETHICS

REGULATION NO. 6

APPLICATION TO CITY BOARDS AND COMMISSIONS OF SECTION 10-102 (INTEREST IN CONTRACTS) OF THE HOME RULE CHARTER

6.0 Scope. This Regulation, promulgated by the Board pursuant to its authority under Sections 4-1100 and 8-407 of the Philadelphia Home Rule Charter and Chapters 20-600 and 20-1000 of the Philadelphia Code, determines how the phrase “any other governmental officer or employee whose salary is paid out of the City Treasury,” as set forth in Section 10-102 of the Home Rule Charter, is applied to members of City boards and commissions.

6.1 Members of Boards and Commissions Receiving a Salary. A salary is compensation for services paid on a regular basis, such as bi-weekly, monthly or yearly. It does not include payment on an hourly wage or per-meeting basis. Any member of any City Board or Commission who is paid compensation on such a regular basis, without regard to the body’s title (including, without limitation, a body denoted as a board, commission, council, committee, task force, working group, panel, or other similar designation) is governed by the restrictions of Charter Section 10-102. Based on the manner of compensation established in The Philadelphia Code for such individuals at the time of adoption of this regulation, this includes all members of the Board of Revision of Taxes (§20-304(7)), all members of any Board of Viewers (§20-304(9)), and the Chairman of the Commission on Human Relations (§20-304(11)).

6.2 Receipt of Salary. Declining or otherwise not receiving the statutory salary for a short period of time shall not avoid application of this provision. A City official shall be deemed to be one “whose salary is paid out of the City Treasury” if the official receives any portion of the statutory salary either during the term of any applicable contract or within one year before the contract’s execution or one year after the end of the contract’s term.

Initially adopted by Board September 16, 2009
Public Hearing held October 21, 2009
Reaffirmed by Board October 21, 2009
Effective November 2, 2009