

City of Philadelphia



(Bill No. 050166)

AN ORDINANCE

Amending the Ordinance of April 22, 1975 (Bill No. 1796), establishing the Prison Industries Revolving Fund and providing for the administration thereof, by establishing a mechanism to authorize charges for goods and services produced by Prison Industries, by authorizing expenditures from the Fund for personnel costs, repair costs and other services required for the operation of Prison Industries, and by authorizing sales by Prison Industries to all City agencies and authorities and to non-profit agencies with whom the City has contracts, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Sections 4, 5 and 6 of the Ordinance of April 22, 1975 (Bill No. 1796) as amended by Ordinance of March 16, 1976 (Bill No. 5), are hereby amended to read as follows:

Section 4. Charges for goods and/or services shall be determined by the Board of Trustees based on an annual account statement submitted by the Prisons Commissioner and approved by the Board. [as follows]:

- a. Materials -- if supplied by Fund – at cost of purchase (or inventory price; First In, First Out method of costing to be used).
- b. An amount for depreciation and repairs of the equipment and facilities used for manufacture.
- c. A charge for inmate labor used in producing the articles.

For b. and c. above the Superintendent shall recommend and the Board of Trustees shall approve a fee schedule for such charges periodically but no less frequently than at the beginning of each fiscal year.]

Section 5. Proceeds shall be distributed as follows pursuant to an annual account statement submitted by the Prisons Commissioner and approved by the Board:

- a. Materials and Equipment – for use [reuse] by fund for purchase of [additional] materials, supplies, and equipment.

City of Philadelphia

BILL NO. 050166 continued

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b. Depreciation [and repairs] – retained by fund based on the approved account statement. [Upon recommendation by Superintendent and approval by Board of Trustees expenditures may be made after processing by Procurement Department.

(1) Equipment

(2) Repairs of equipment and facilities

(3) Purchase of materials – which sums shall be returned to this account when produced articles are sold.]

c. Inmate Labor – to be credited to individual accounts of inmates for use in purchasing approved items and/or saved and withdrawn upon release from the Philadelphia Prisons. These accounts shall not bear interest.

d. Personal Services – for use by fund to pay employees assigned to train and supervise inmates employed within the Prison Industries.

e. Fringe Benefits – for use by fund to pay the costs of fringe benefits of employees assigned to train and supervise inmates employed within the Prisons Industries.

f. Repair and services – for use by fund for payment of repairs to facilities and equipment and the provision of contractual services required for the operation of the Prison Industries.

Section 6. [Proceeds from interest earnings of the fund calculated by the City Treasurer shall be added to the balance made available by charges for depreciation and repairs of equipment and facilities.] For purposes of this Ordinance, the Prisons Commissioner shall mean the City official with administrative and supervisory authority over the Philadelphia Prisons System.

SECTION 2. The Philadelphia Prisons may sell goods or services created by inmates to any agency of the City of Philadelphia; the School District of Philadelphia; any Authority, government, or quasi-government agency; or any non-profit organization or institution (as described in 26 U.S.C. § 501(c)(3)) with whom the City has a contractual relationship.

City of Philadelphia

BILL NO. 050166 continued

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Explanation:

[Brackets] indicate matter deleted

Underline indicates matter added

City of Philadelphia

BILL NO. 050166 continued

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on May 19, 2005. The Bill was Signed by the Mayor on June 2, 2005.

A handwritten signature in black ink that reads "Patricia Rafferty". The signature is written in a cursive, flowing style.

Patricia Rafferty
Chief Clerk of the City Council