



City of Philadelphia

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

BILL NO. 030710

Introduced October 30, 2003

Councilmember Kenney

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

AN ORDINANCE

Amending Chapter 20-600 of The Philadelphia Code entitled “Standards of Conduct and Ethics” to limit the receipt of contributions by elected City officers or candidates for City offices from individuals or businesses who are applicants for, or recipients of, City contracts or financial assistance, if they have made political contributions within certain timeframes to elected City officers or candidates for City offices, and prohibiting any individuals or businesses from receiving City contracts or financial assistance if they have made contributions to elected City officers or candidates for City offices, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 20-600 of The Philadelphia Code entitled “Standards of Conduct and Ethics,” is hereby amended to read as follows:

CHAPTER 20-600. STANDARDS OF CONDUCT AND ETHICS.

§20-601. Definitions.

* * *

(7) *City-Related Agency.* All authorities and quasi-public corporations which either: receive appropriations from the City, have entered into continuing contractual or cooperative relationships with the City, or which operate under legal authority granted to them by City ordinance.

[(7)] (8) * * *

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(9) *Consultant.* Any person who is self-employed or part of another business that provides paid services to another person or business that is applying for, receiving or renewing a City contract or financial assistance from the City or a City-related agency.

(10) *Contribution.* As defined in the Pennsylvania Election Code, 25 P.S. §3241.

(11) *Financial Assistance.* Any grant, loan, tax incentive, bond financing subsidy for land purchase or otherwise, or other form of assistance that is realized by or provided to a business or individual in the amount of fifty thousand dollars (\$50,000) or more or individuals through the authority or approval of the City or a City-related Agency, including, but not limited to, Tax Increment Financing (TIF) aid, industrial development bonds, use of the power of eminent domain, Community Development Block (CDBG) loans, airport revenue bonds, Enterprise Zone designations, and Private Industry Council aid.

[(8)] (12) * * *

[(10)] (13) * * *

[(11)] (14) * * *

[(12)] (15) * * *

(16) *Political Committee.* Any committee, club, association, political party or other group of persons which receives contributions or makes expenditures for the purpose of, but not limited to, influencing a municipal election.

(17) *Seeking to do business.* Taking any action within the past six months to obtain a contract or business from the City when, if such action were successful, it would result in the person's doing business with the City and the contract or business sought has not been awarded to any person.

[(13)] (18) * * *

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§20-604. Gifts, Loans and Favors to City Personnel.

* * *

(3) (a) *No elected City officer or candidate for City office shall accept any contribution from any person or business that is seeking to do business with the*

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City or is a recipient of a contract with the City or a City-related agency in an amount in excess of ten thousand dollars (\$10,000), or from anyone seeking to do business with the City who is an applicant for, or recipient of, financial assistance in an amount in excess of fifty thousand dollars (\$50,000). Nor shall any elected officer or candidate for City office accept contributions from a member of said applicant or recipient's immediate family, which includes life partners as defined in §9-1106 of The Philadelphia Code, or from any employee or consultant of a business seeking to do business with the City, or any Political Committee connected with any of the aforementioned individuals and businesses.

(b) No person or business, shall be eligible to apply for, or receive, a City contract, or financial assistance, from the City or a City-related agency, or any renewal thereof, until the expiration of the term of office of any elected City officer to whom said person or business made any political contribution in excess of one thousand dollars (\$1,000) in connection with the campaign for said term of office. Said persons or businesses shall also be ineligible if any member of said person's immediate family, which includes life partners as defined in §9-1106 of the Philadelphia Code, or any employee or consultant of a business seeking to do business with the City, or any Political Committee connected with any of the aforementioned individuals and businesses, makes contributions in excess of one thousand dollars (\$1,000) to elected City officers or candidates for City offices.

(c) Those seeking to do business with the City or those who are recipients of City contracts in an amount over ten thousand dollars (\$10,000), or applicants or recipients of financial assistance in an amount in excess of fifty thousand dollars (\$50,000), shall disclose at the time of their application for an initial, or renewal, City or City-related contracts or grant of financial assistance, on a form to be provided by the department or agency from which they are seeking such assistance or contract, any contributions that they have made within the four years prior to said application or renewal, to any elected City officials or candidates for City office.

SECTION 2. Severability.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of City Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

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SECTION 3. Effective dates. This Ordinance shall be effective immediately.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.