

Legislation Text

File #: 200056, **Version:** 1

Proposing an amendment to the Philadelphia Home Rule Charter to revise and clarify rules pertaining to prohibited activities of City officers and employees, including restrictions on City officials and employees with respect to political activities; 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, be it

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:

Bold [Brackets] indicates matter deleted by these amendments.

Bold italics indicates matter added by these amendments.

ARTICLE X

PROHIBITED ACTIVITIES OF COUNCILMEMBERS, CITY OFFICERS, EMPLOYEES AND OTHERS, AND PENALTIES

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§ 10-107. Political Activities.

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(4) [No appointed officer or employee of the City shall be a member of any national, state or local committee of a political party, or an officer or member of a committee of a partisan political club, or take any part in the management or affairs of any political party or in any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote.]

No appointed officer or employee of the City, except for an employee of the Council, shall be a committee person, ward leader, delegate, or other officer of a political party, or an officer of a partisan political group, or take any part in the management or affairs of any political party, partisan political group or political campaign, with the following generally applicable exception.

(a) Such appointed officers and employees may participate in non-managerial volunteer activity in support of a candidate for any office, but not including for a state or local office for

which Philadelphia electors cast ballots other than in a campaign for an office elected on a state-wide basis.

(b) The exception for participation in non-managerial volunteer activity in support of a candidate set forth in subsection (a) shall not apply to an employee of the Offices of the Sheriff, City Commissioners or District Attorney, or any officer or member of the Police Department, or any member or employee of the Board of Ethics.

(c) No appointed officer or employee of the City shall use a City title while engaged in any political activity.

(d) No officer or employee of the City shall engage in any political activity while on duty or utilize City resources for or while engaging in political activity.

(e) Nothing in this section prohibits an appointed officer or employee from expressing a political or other opinion as a private citizen or from exercising the right to vote.

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*(6) Any officer or employee of the City who violates any of the foregoing provisions of this section shall, in addition to any penalties provided for hereafter, be **subject to a sanction of** [ineligible for one year] **ineligibility** for any office or position under the City **for up to one year**.*

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§ 10-109. Penalties.

A violation of any of the foregoing sections of this article shall be [a misdemeanor,] punishable by a fine of [not more than three hundred dollars or by imprisonment for not more than ninety days, or both] **up to the maximum of the City's authority to establish fines by statute**, and if the violator is an officer or employee of the City, **ineligibility for any office or position under the City for up to one year or, in the case of egregious conduct**, by removal from office or immediate dismissal.

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