BILL NO. 1

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NO. 1, 2026

A N O R D I N A N C E

AN ORDINANCE OF THE CITY OF CHESTER, DELAWARE COUNTY, PENNSYLVANIA, ENACTING NEW ARTICLE 149, ENTITLED "CODE OF ETHICS" TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF CHESTER, PENNSYLVANIA, 1978, AS SUPPLEMENTED AND AMENDED, TO ESTABLISH ETHICAL STANDARDS OF CONDUCT FOR ALL SUCH OFFICIALS AND EMPLOYEES OF THE CITY. ITS AGENCIES AND AUTHORITIES, WHETHER ELECTED OR APPOINTED, BY SETTING FORTH THOSE ACTS OR ACTIONS WHICH ARE INCOMPATIBLE WITH THE BEST INTERESTS OF THE CITY OF CHESTER, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH.

THE COUNCIL OF THE CITY OF CHESTER DOES ORDAIN:

SECTION 1. Legislative Intent.

A. The background of this article and its legislative intent are as follows: Pursuant to the Pennsylvania Ethics Law, the City Home Rule Charter, Administrative Code and Ordinances, and the Third-Class City Code, the Council desires to establish an Administrative Code which shall include, inter alia, a code of Ethics.

B. Public office demands the highest respect of the public and consequently there is an incumbent duty upon all public officials and employees to fulfill that trust.

C. The operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a Code of Ethics for the Mayor and all Councilmembers, employees, and officials whether elected or appointed, paid or unpaid, and a Board of Ethics to administer the code and further its objectives. The purpose of this code is to establish ethical standards

of conduct for all such officials and employees of the City, its agencies and authorities, whether elected or appointed, by setting forth those acts or actions which are incompatible with the best interests of the City and by directing disclosure by officials and employees of private, financial or other interests in matters affecting the City. The provisions and purpose of this code and such rules, regulations and opinions as may be promulgated by the Board pursuant hereto are hereby declared to be in the best interest of the City. All City employees, City officials, and board members shall receive and sign a copy of the code within ten (10) days upon employment. City employees and officials at the time of passage of this Ordinance shall receive and sign a copy of the code within thirty (30) days of passage.

D. The City may require every Chester municipal authority or individual appointed to any municipal authority (including joint authorities) or board by the City to adopt this Code of Ethics.

SECTION 2. Definitions.

The following words and phrases, as used in this article, shall have those meanings as prescribed in this section:

AGENCY — Any department, bureau, authority, commission, board or other governmental unit of or established by the City.

ASSOCIATE — Where used to indicate a relationship with any person, means any relative or spouse of such person, or any relative of such spouse.

CITY — For purposes of provisions relating to the entering of contracts and agreement, the City of Chester as a corporate entity, as well as any agency, as defined above.

EMPLOYEE — Any other personnel in the City government.

OFFICIAL — Any elected or appointed member of the City government, its authorities, boards or commissions.

BOARD MEMBER – Any appointed Board member of a Chester Municipal authority. A Chester Municipal Authority is any authority or corporate entity that is directly or indirectly controlled by the City or to which the City has power of appointment including but not limited to Chester Economic Development Authority (CEDA), Chester Water Authority, Stormwater Authority and Housing Authority.

Words in the singular number shall include the plural number, and words in the plural number shall include the singular number. The masculine gender shall include the feminine, and the feminine gender shall include the masculine. Wherever the word “he” appears, read “he or she”.

SECTION 3. Conflict of Interest.

A. No official or employee, whether paid or unpaid, shall engage in any business or transaction or shall have any financial or other private interest, direct or

indirect, which is incompatible with the proper discharge of his official duties in the public interest or which would impair his independence of judgment or action in the performance of his official duties unless full disclosure is made, in writing, to the City Clerk.

B. Officials and employees must disclose any business relationship they have with applicants for City Employment and any familial relationship they have with any City employees or elected officials. Familial relationships shall include but are not limited to parents, children, spouses, domestic partners, uncles, aunts, nieces, nephews, cousins, stepsiblings, and former family members.

C. Applicants must disclose business or familial relationships with officials and/or employees on any and all applications for employment. Familial relationships shall include but are not limited to parents, children, spouses, domestic partners, uncles, aunts, nieces, nephews, cousins, stepsiblings, and former family members.

D. The following conflicts of interest are expressly prohibited, whether or not disclosed:

(1) Prohibited use of official position:

(a) An official or employee may not use his or her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows, or has reason to believe, may result in a personal or financial benefit, not shared with a substantial segment of the City's population, for any of the following persons or entities (no group of government employees may be considered "a substantial segment" for the purposes of this subsection):

[1] Himself or herself;

[2] A member of his or her household, including a domestic partner and his or her dependents, or the employer or business of any of these people;

[3] A sibling or stepsibling, stepchild or foster child, parent or stepparent, niece or nephew, uncle or aunt, or grandparent or grandchild of either himself or herself, or of his or her spouse or domestic partner, or the employer or business of any of these people;

[4] A person with which he or she has a financial or business relationship, including but not limited to:

[a] An outside employer or business of his or hers, or of his or her spouse or domestic partner, or someone who works for such outside employer or business;

[b] A client or substantial customer;

[c] A substantial debtor or creditor of his or hers, or of his or her spouse or domestic partner.

[5] A nongovernmental civic group, union, social, charitable, or religious organization of which he or she (or his or her spouse or domestic partner) is an officer or director.

(b) The prohibition above applies equally to attempts to use, act, or influence.

(c) It is a violation of this code for an official or employee to, within six (6) months of entering City employment or service, award a contract or participate in a matter benefiting a person or entity that formerly employed him or her.

(2) Business or professional conflict.

(a) No official or employee shall engage in or accept private employment or render services for private interests when such employment or service would, interfere with, or influence them in the proper discharge of their official duties or would tend to impair their dependence of judgement or action in the performance of their official duties. This includes taking action in matters where there is a promise of future business arising from the action taken, or a reciprocal nature or otherwise.

(b) No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the City, nor shall they use such information to advance the financial or other private interest of themselves or others.

(c) No official or employee shall participate in any decision making process affecting himself or any entity in which such official or employee or associate of either of them is a director, official, or partner or in which such official or employee has a financial interest in excess of 5%, but such official or employee shall not be precluded from participating in any decision making process where the matter involved affects the general populace or a large segment of the community.

(d) No City official or employee shall discuss, vote on, decide or take part in, formally or informally, any matter proposed or pending before any agency or other City official or employee in which he has a financial interest. This subsection shall not apply to any City official or employee whose interest in the proposed or pending matter is minimal, provided that these procedures are followed strictly:

[1]The City official or employee shall identify his interest, that is, the benefit or advantage that would be gained or lost if the City acts on the matter in various ways, and the underlying basis of it, such as ownership, an investment, a contract or claim, employment, or a relationship, if any.

[2] The City official or employee shall completely and specifically describe and disclose his interest and its underlying basis, if any, in writing to his immediate superior and the chairperson of the Board of Ethics, in advance of his participation in the matter.

[3] If either the City official or employee, or his immediate superior, or the Chairperson of the Board of Ethics thinks that the disclosure reasonably raises a question whether the interest is minimal, the question shall be submitted to the Board of Ethics for an opinion, prior to which the official or employee shall not participate in the matter.

(e) Unless Council members have a pecuniary interest in matter before them, Council members shall not abstain or recuse themselves and must vote on the matter. In a matter where a Council member has a pecuniary interest and abstains or recuses themselves from voting, the Council member must explicitly state the pecuniary interest they have.

(f) No City official or employee privy to nonpublic information regarding the allocation of City funds, or having direct influence or control over the allocation of City funds, shall be a director, official or trustee of any organization, except where appointment to such position is required by law or except where that interest is construed as being in the best interest of the City.

(g) No City official or employee shall have or enter into any contract with the City which would result in personal gain unless:

[1] The contract between the person and the City is one with respect to which the City official or employee a) has no interest, b) has no duties or responsibilities, or, if the contract with the person is one which the City official or employee entered into prior to becoming a City official or employee, he abstains from any performance of duties or responsibilities, and c) exercises or attempts to exercise no influence.

[2] The contract is related to their duties as an employee, official or board member.

(3) Confidential information. No official or employee shall without proper authorization disclose confidential information concerning the property, government or affairs of the City, including confidential information gained in the discharge of his official duties relating to any private person, firm, corporation or association. Further, nor shall he use such information to advance the financial or other private interest of himself or others. This includes any confidential information shared in Executive Session including personnel information. Confidential information is defined as information that is acquired in the court of official duties which is not available as a matter of public knowledge or public record or is not available by making inquiry to a publicly available source of information.

(4) Gifts and favors.

(a) An official or employee, his or her spouse or domestic partner, child or stepchild, parent, or member of his or her household may not

knowingly solicit nor accept anything of value, directly or indirectly, from any person or entity that the official or employee knows, or has reason to believe, has received or sought a financial benefit, directly or through a relationship with another person or entity, from the City within the previous three years, or intends to seek a financial benefit in the future ("restricted source"). If in doubt, the official or employee should refrain from soliciting or refuse a gift and should first inquire into the person or entity's relationship with the City or with a restricted source. [Or, if the official or employee does not know whether a person or entity fits this description, he or she should make an inquiry to the Board of Ethics, and, if it is discovered that the person or entity does fit this description, the gift should be returned (or its monetary value if it cannot be returned) and no further gifts accepted during the relevant period.]

(b) Gifts of property, money, or services given nominally to the City must be accepted by a resolution of the legislative body.

[1] This includes federal grants to fund local infrastructure, public safety, and community development, often administered through federal agencies like HUD, DOT, and FEMA.

(a) For grants or projects funded by federal monies, the City's officers, employees or agents will neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, sub-recipients or parties to sub-agreements. Depending upon the circumstances, exceptions to this provision may be granted only in situations where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

(b) An employee, officer or agent of the City shall be careful to ensure that he/she is involved in no apparent or potential violations of this provision.

Officials and employees must file with the City Clerk, on or before the 10th day of the following month, a list of all gifts received during the preceding month by them or by their spouse or domestic partner, child or stepchild, parent, or member of their household, to the extent that the aggregate amount of gifts received from an individual or entity (including gifts from all employees, partners, or investors) during the calendar year is $250.00 or greater. Information to be disclosed is as follows:

1] The date the gift was received and who received it;

2] A description of the gift;

3] The fair market value of the gift;

4] The name, address, and employer of the person who provided the gift;

5] The name of any organization or individual represented by the person or on whose behalf the person was acting in providing the gift.

(5) Use of public property. No official or employee shall request or permit the use of City-owned vehicles, equipment, materials, services or property for the convenience or profit of himself or any associate except when such are available to the public generally or are provided as municipal policy for the use of such official or employee in the conduct of official business.

(6) Representing private interests.

(a) No official or employee whose salary is paid in full or in part by the City shall appear on behalf of private interests before any agency of the City. He shall not represent private interests in any action or proceeding against the interests of the City in any litigation to which the City is a party. An elected official or employee may appear before agencies on behalf of constituents in the course of his duties as a representative of the electorate or in performance of public or civic obligations. However, no compensation, remuneration or gift of any kind whatsoever shall be accepted for such activity. An elected official or employee reserves any rights of said official or employee provided by law.

(b) No City official or employee who serves the City without compensation shall represent any person before the agency he serves, or before any other City official or employee who regularly serves the agency he serves, or before any other agency on matters directly involving the agency he serves.

(c) No former City official or employee shall at any time after he leaves the agency he served represent a person before any agency on a specific matter with which he was directly involved or of which he has special knowledge, if the representation would be adverse to the position of the City on the matter.

(7) Favoritism. No City official or employee, acting in the performance of his official duties, shall treat, whether by action or omission to act, any person more favorably than it is the custom and practice to treat any member of the general public.

(8) Board Members, Employees and elected officials shall not be appointed as a Board Member if such appointment is in violation of the Home Rule Charter, the Administrative Code, or the Third-Class City Code. City elected officials may not serve in a paid capacity on any local, state, or federal board or authority. Reimbursement of expenses shall not be considered compensation.

E. Inappropriate direction of City funds.

(1) Charter. Consistent with the city's Home Rule Charter and Administrative Code, City employees, City officials and City agencies shall not: 1) act in a private capacity, or on behalf of a private party, on matters dealt with the City of CHESTER; 2) disclose or use any confidential, privileged or proprietary information, gained by reason of the person's or agency's official position, for personal gain or for the gain of particular individuals, entities or groups. However, information may be disclosed if: 1) it is a matter of public knowledge; and 2) is available to the public upon request.

(2) No unfair advantages. No City employee or elected official shall engage in conduct that gives a potential provider of services to the City an advantage in the procurement or selection process. No City employee or elected official shall engage in conduct that gives the potential recipient of government funds an advantage over another recipient.

(3) Mandatory disclosure. Officials and employees who have had communications other than communications in their official capacity of any kind with individuals or entities seeking to do work for the City, or seeking to receive government funds, must disclose those communications to the City Clerk, immediately prior to the government taking action in designating who will conduct the service, receive the contract or receive the funds. Such disclosure will take place on an electronic or paper form or process to be prepared jointly by the Administration and Council.

(4) Conformance with existing laws. City policies relating to procurement, service selection, and fund awarding must be followed in all cases as required by law.

(5) Duty to not assist in inappropriate conduct. City employees and elected officials shall also be prohibited from acting as a conduit that facilitates unfair advantages or avoids mandatory disclosures. Each City official or employee shall immediately disclose violations of the above requirements to the City Clerk who shall forward the disclosure to the City's Ethics Board for appropriate consideration.

SECTION 4. Use of public employees for personal benefit.

No official or employer shall use public employees on government time for private benefit. Accordingly, in order to uphold the standards as set forth in this Ordinance (the intent of which is to have employees and officials act in the most professional manner possible), public employees and officials are expected to refrain from performing improper personal tasks on government time.

SECTION 5. Use of position or prestige for personal benefit.

No official or employee shall use, nor allow others to use, the authority, title or prestige of public office for the attainment of private financial, social or political benefits in any manner that is inconsistent with public interests, including but not

limited to the improper use of official letterhead, business cards, and/or other identifiable markings, seals, and symbols representing the city.

A. Use for commercial purposes. No official or employee shall permit their names or official titles to be used by a nonpublic enterprise in any manner which would lead reasonable observers to believe that those who deal with the enterprise may receive special treatment or advantages as a result of a formal association with the official or employee.

B. Use for public advantage. No official or employee shall use official letterhead or refer to their public position as a means of inducing or intimidating persons to resolve disputes more favorably, provide preferential treatment, or give free tickets, discounts, favors or other advantages.

SECTION 6. Nepotism.

No official or employee may appoint or hire, or promote, or participate in influencing the appointment or hiring, or promotion of, his or her spouse or domestic partner, child or stepchild, sibling or stepsibling, parent, or member of his or her household for any type of employment, including by contract, with the City. No official or employee may supervise or be in a direct line of supervision over his or her spouse or domestic partner, child or stepchild, sibling or stepsibling, parent, or member of his or her household.

SECTION 7. Patronage.

No official or employee may promise an appointment, employment, or the use of his or her influence to obtain an appointment to any position as a reward for any political activity or contribution.

SECTION 8. Post-position.

A. Representation. Employment after the termination of his or her City service or employment, an official or employee shall be governed by the States Ethics Act.

SECTION 9. Intervening on behalf of constituents and friends.

Public officials shall not directly or indirectly intervene with normal decision making, investigatory or adjudicative processes of governmental bodies on behalf of constituents or friends because such intervention can threaten the ability of government administrators to exercise independent objective judgment on the merits.

A. General rule. Intervention on behalf of constituents or friends is proper only if it is strictly limited to assuring fairness and equity of treatment of the procedures and the intervener consciously avoids seeking to unduly influence the decision making process. Those who intervene should firmly, explicitly and unambiguously convey their limited purposes to reduce the possibility of

direct or indirect pressure on administrators which could reasonably appear to influence the substantive decision.

B. Sharing of compensation.

(1) No person rendering professional services to the City shall, in any form or guise, share or agree to share the compensation received by him for such services with any City employee. Nor shall any City employee share or agree to share in the compensation received from the City by any other person for rendering professional services to the City.

(2) A "person" for purposes of this section shall be a natural person, partnership, or a corporation.

(3) Notwithstanding anything contained herein to the contrary, this section shall not prohibit a general partner in a professional partnership from sharing or agreeing to share his compensation with other general partners in the partnership; nor shall the other general partners in the partnership be prohibited from sharing in any such compensation.

SECTION 10. Disclosure of City interests.

A. Such enumerations shall be returned to the Board of Ethics and become public record.

SECTION 11. Political activity.

A. No appointed official or employee or candidate for office, shall, by any means of communication (oral, written, electronic, etc.), or otherwise, solicit or be in any manner concerned in soliciting any assessment, subscription or contribution to any political party on City property or on City time, or in any way in their authority as a City appointed official or employee. Such appointed officials and employees, or those seeking office on their own behalf, and elected officials, shall not take an active part in political campaigns for candidates for City office on any City property or on City time, or in any way in their capacity as a City appointed official or employee. No official or employee, whether elected or appointed, shall promise an appointment to any municipal position as a reward for any political activity nor remove or threaten the removal of another official or employee for failure to participate in political activity. Elected officials shall not use his or her official position by any means of communication, whether that communication be oral, written, or otherwise, or be in any manner concerned with any assessment, support, or contributions to any political party at any time.

B. No elected official, appointed official, or employee shall use City resources in any manner for purposes of any political activity. This prohibition includes, but is not limited to, use of interior locations in City buildings, use of any City equipment, use of time, and use of any City resources, and conducting public or private meetings inside City buildings. Political activity includes, but is not limited to: 1) any campaigns for elected political office, whether contested or not; 2) any support or opposition for or against any political party; and 3) any support or opposition for or against any political based action group.

SECTION 12. Criminal convictions.

A conviction for any felony, and/or misdemeanor involving a crime of crimen falsi (falsehood), which constitutes a knowing and deliberate breach of the law shall be considered a breach of the public trust and a knowing and deliberate violation of this Code of Ethics, and must be reported immediately to the board of ethics.

SECTION 13. Board of Ethics and issuance of advisory opinions.

A. There is hereby established a Board of Ethics. The Board shall consist of three (3) members. Each member shall serve until his successor has been appointed and qualified. The Board shall annually select a chairperson.

B. Two (2) of the Board Members must be Chester residents. One (1) of the Board members may be non-Chester residents. Members of the Board shall not be, nor for a period of four years prior to appointment have been, City officers or employees. The initial members of the Board shall be appointed to the following terms of office: one member shall be appointed for a term of three (3) years; one member shall be appointed for a term of two (2) years; one member shall be appointed for a term of one (1) year. Thereafter, all members shall be appointed for terms of three (3) years. Any member of the Board shall be eligible to succeed himself.

C. The members of the Board shall serve without compensation but shall be entitled to reimbursement of expenses incurred by them in the performance of their duties. The Office of the Chief of Staff shall provide administrative support services to the Board.

D. Board members shall be appointed by an affirmative vote of at least a majority of the seated members of Council. In the case of a vacancy, Council shall, within 90 days of the vacancy, make an appointment to fill the expired term. If Council does not appoint a member within that time period, the City Clerk shall request the President Judge of the Delaware County Court of Common Pleas nominate an individual and Council must then vote to appoint that individual.

E. Board members may be removed only for cause by Council. A Board member so removed may request, and shall be granted, a hearing before Council, at which time such member may show cause why he or she should not be removed.

F. The Board shall adopt the necessary rules which will enable it to carry out its powers, duties, and functions. Meetings of the Board shall be held at the call of the Chairperson, who shall be elected annually by the Board, and the affirmative vote of a majority of the entire membership shall be necessary to take any action. The Board shall have the power to administer oaths. The meetings of the Board shall be appropriately advertised by the City Clerk's Office.

G. The Board shall render written advisory opinions at any time at the request of any official or an employee of the City involving possible conflicts of interest on the part of such official or employee. Requests shall be filed with the City Clerk, electronically or in person, who shall forward a copy to each Board member electronically by the following working day.

H. The Board shall also render written advisory opinions in circumstances where there is alleged to be a conflict of interest or unethical conduct on the part of any official or employee of the City within the scope of the Code of Ethics. Requests shall be filed with the City Clerk who shall forward a copy to each Board member by the following working day. Such request for an advisory opinion shall specially state the provision or provisions of the Code of Ethics which the complainant alleges have been violated.

I. The Board may, for good cause, refuse to entertain a request for an advisory opinion. Without limiting the generality of the foregoing, the Board may refuse to entertain a request where the request is speculative or purely hypothetical and does not involve an actual situation or where the request is frivolous. In no case shall the Board entertain a request that is not in writing and not signed by the person making the request. Such request may be filed by fax or email with the signed request attached. Such request must be signed and shall contain the date of the request, a telephone number, e-mail address, and street address of the person making the request.

J. The Board shall acknowledge the receipt of a request, in writing, to the person submitting the request. If the request involves an employee or official and the request is made by a person other than such employee or official, a copy of the request shall be sent to the employee or official so involved, with the name of the person making the request deleted so that his name will not be disclosed.

K. Every City employee or official shall provide such information to the Board as it may deem necessary for the Board to perform its responsibilities under this code.

L. Any individual who believes that an action or omission of an individual covered by this Code of Ethics is in violation of this Code of Ethics shall have the right to lodge a formal complaint with the Board.

A complaint alleging a violation of the Code of Ethics shall be in writing and filed with the City Chief of Staff and the Chairperson of the Board, and shall contain the following before it will be considered by the Board:

(1) The name of the individual covered by the Code of Ethics (the Respondent) and the position or office held by the Respondent;
(2) The name, address and phone number of the person filing the complaint (Complainant);
(3) A statement of alleged facts and circumstances that the Complainant believes in good

faith constitutes a violation of this Code of Ethics; and
(4) A sworn verification signed by the Complainant.

M. Within five days of the receive of the complaint, the City Chief of Staff shall:
(1) Date stamp the complaint;
(2) Acknowledge, in writing, the receipt of the complaint to the Complainant;
(3) Keep the substance of the complaint confidential;
(4) Submit the complaint to the Board; and
(5) Notify the Respondent that a complaint has been filed against him or her.

N. The Board shall commence a preliminary inquiry regarding an alleged violation of the Code of Ethics within 30 days of receipt of a complaint.
O. A preliminary inquiry shall be terminated or opened as a full investigation within 45 days of the initiation thereof. A preliminary inquiry is considered initiated at the time when it is officially docketed with the Board.
P. The Board shall keep information, records and proceedings relating to a preliminary inquiry confidential.
Q. If, after preliminary inquiry, there is reason to believe that the Code of Ethics has been violated, the Board shall commence an investigation. An investigation will be considered commenced when the Respondent is notified.
R. If the preliminary inquiry establishes reason to believe that the Code of Ethics was violated, the Board may initiate a full investigation.
S. The Board shall close the preliminary inquiry if any of the following applies:
(1) The occurrence giving rise to the complaint occurred prior to the adoption of the Code of Ethics;
(2) There is no reason to believe that the Code of Ethics has been violated; or
(3) The Respondent is not a person subject to the Code of Ethics.
T. If the preliminary inquiry is closed, the Board shall notify the Complainant and the Respondent within five days.
U. The Board shall have the authority to conduct interviews, take statements, receive and inspect documents and records and otherwise obtain evidence and gather information by lawful means, including subpoena power.
V. Within 60 days of commencing the investigation, the Board will do one of the following.

(1) Terminate the investigation and notify the Complainant and the Respondent;

(2) Extend, upon a showing of the need, the investigation for a period not to exceed 60 days; or

(3) Issue a findings report that sets forth the pertinent facts and affords the Respondent an opportunity to reply to the findings and to request an evidentiary hearing.

W. The Respondent shall file a response to the findings report of the Board within 30 days, unless an application for an extension is made to the Board and granted for good cause shown. The Respondent shall admit to or deny the allegations.

X. If an investigation indicates that no violation has been committed, the Board will immediately terminate the investigation and send written notice of the

determination to the Complainant and the person who was the subject of the investigation.

Y. The Board shall develop such other procedures and rules of conduct for its activities as it deems necessary.

Z. The Board will conduct hearings upon the request of a Respondent. Hearings shall be private unless Respondent requests a public hearing. A Respondent shall request a hearing in his or her response to the findings report. Failure to request a hearing within the time period will be deemed a waiver.

AA. A hearing will be held within 45 days after the Respondent's answer to the findings report unless the time is extended upon application for good cause shown.

AB. A notice of hearing will be issued to the Respondent, unless represented by counsel, in which case to counsel, within a reasonable period of time prior thereto. The notice will advise of the date, time and location of the hearing, and of the hearing rights, privileges, process and procedures in this section.

AC. The Board may establish such rules of conduct for hearings as it deems advisable in accordance with the normal procedures of due process.

AD. Upon request, the Respondent will be given access to evidence the Board intends to use at the hearing, as well as any exculpatory evidence developed during the investigation.

AE. Access to evidence does not include information that is otherwise privileged.

The hearing and papers, records and disclosures therein will be confidential except for the contents of the final order.

The Board shall, upon finding of wrongdoing under the provisions of this article, recommend penalties as provided by this section:

A. In cases where the violation of this article is also a violation of federal or state law, the matter shall be turned over to the proper authority for criminal prosecution.
B. In cases where the violation is a violation of the rules of this article, the following penalties shall be available to the Board:
    1. Admonition. A letter to the Respondent, the Complainant, City Council, and the Chief of Staff or appropriate elected City official, indicating that the Respondent has been found to have violated this article.
    2. Censure. Notification to the Respondent, the Complainant, City Council, and Chief of Staff, or appropriate elected City official, indicating that a violation of this article took place, and expressing strong disapproval of the Respondent's actions.
    3. Suspension. City and agency employees may be suspended without compensation in compliance with existing personnel practices and collective bargaining agreements. This section does not apply to elected officials.

4. Expulsion/Dismissal. Revoke employment or contract with the City in compliance with existing personnel practices and collective bargaining agreements. This section does not apply to elected officials.

Upon receiving any findings, conclusions and recommendations from the Board for the imposition of sanctions or penalties under this provision, the City Council and the Chief of Staff or appropriate City official shall take appropriate action. The City Clerk shall notify the City Council and Ethics Board of the disposition of all recommendations within 30 days of receipt.

Upon disposition of the Board's recommendation, any aggrieved party within 30 days may file an appeal to the Court of Common Pleas in accordance with applicable law.

The Board shall report its conclusions and recommendations on all complaints to the City Council and the Chief of Staff. The Chairperson of the Board shall be required to provide Council with an annual report.

The provisions of this Code of Ethics are severable, and if any provision is held illegal, such illegality shall not affect the remaining provisions. It is the legislative intent of the Council that the Code would have been adopted if such illegal provision had not been included.

Unless otherwise provided, this Code of Ethics shall become effective immediately upon its approval in accordance with the provision so the Home Rule Charter and the Administrative Code.

Nothing herein shall be construed or interpreted to in any way make the provisions of the Code of Ethics applicable on a retroactive basis. All provisions of this Code shall be applied on a prospective basis.

A. The Board shall, upon receipt of a request for a hearing within the period above referred to by the official or employee involved, set a time and place for the hearing for the purpose of determining the facts. The person making the allegations and the employee or official involved shall have the opportunity to appear at the hearing by himself or by counsel and to present any and all evidence, including testimony and exhibits which are relevant to the issue involved. No testimony shall be excluded except for irrelevancy.

B. The Board shall have subpoena powers to obtain information pursuant to the Home Rule Charter.

C. All hearings before the Board involving an alleged conflict of interest of an employee or official shall be held in executive session and shall not be open to the public; provided, however, that a public hearing may be held where such official or employee alleged to have conflict of interest consents thereto.

D. If the request for an opinion involves an employee or official and the request is made by a person other than such employee or official, then after an opinion has been reached, the Board shall, in the case of an appointed official or employee, notify the Mayor, Council, and the appointing authority of the official or employee involved of its decision. The appointing authority shall

take whatever action is deemed necessary and shall report the action to the Board within 15 days after receiving the decision of the Board. If it is the majority decision of the Board that the action taken is not satisfactory then the Board shall so notify the Mayor and all members of Council. In the case of an elected official, the Board shall notify the Mayor and all members of Council.

E. A copy of written opinions with identifying names deleted shall be filed with the City Clerk and Solicitor's offices.

SECTION 14. Initiative of violator for remedial action.

Violation of any provision of this Code of Ethics should raise conscientious questions for a Council person or other official or employee concerned as to whether voluntary resignation or other action is indicated to promote the best interests of the City.

SECTION 16. Reports.

The Board of Ethics shall annually prepare a written report for Council and the Mayor, and shall present in a meeting with City Council recommendations concerning policies and procedures that ensure that City officials and employees maintain the highest degree of trust with the public using a template provided by City Council.

SECTION 17. Personal use of City funds prohibited.

Employees and/ or officials belonging to nonprofit or other organizations that lobby for or are actively engaged in seeking City funds or funds distributed through the City and receive funding or receive funds through the City are prohibited from receiving remuneration from these funds. This prohibition shall also apply to the immediate and extended family members of such leaders, members and officials. City officials shall also be prohibited from acting as a conduit for such activity and shall immediately disclose such request to the City Clerk who shall forward the disclosure to the City's Ethics Board.

SECTION 18. Secondary Employment.

Officials and employees must disclose secondary employment including but not limited to employment as a W-2 employee or independent contractor or business owner to the City's Human Resources Department annually. Failure to do so or refusal to be truthful will result in disciplinary actions.

SECTION 19. Violations and penalties.

The doing of any act, by an employee, prohibited, or the failure to do any act required, by the Code of Ethics or rules and regulations issued pursuant thereto shall be subject to the jurisdiction of the City Home Rule Charter, City Administrative Code, and PA Third-Class City Code, and The Chester City Employee Handbook, and any collective bargaining agreement.

The doing of any act, by an official, prohibited, or the failure to do any act required, by the Code of Ethics or rules and regulations issued pursuant thereto shall constitute grounds for designating the enforcement of penalties as more fully set forth in the

City Home Rule Charter, and City Administrative Code, and PA Third-Class City Code, and PA State of Ethics Act.

SECTION 20. Repealer.

Any ordinance or part of any ordinance which conflicts with the provisions of this chapter is hereby repealed insofar as the same affects this chapter or is inconsistent with this chapter.

This Ordinance shall take effect and be in force after its approval as required by law.

WE HEREBY CERTIFY that this Ordinance passed Council this Eighth day of April, A.D. 2026.

_____
MAYOR

Attest:_____
CITY CLERK