



# CITY OF READING, PENNSYLVANIA

BOARD OF ETHICS  
P.O. Box 1371  
READING, PA 19603-1371

EDMOND J. DOHERTY, CHAIR  
REV. TONY PEREZ, VICE CHAIR  
ELIZABETH M. HAWTHORNE, MEMBER  
DELIA F. MCLENDON, MEMBER

## ADVISORY OPINION

98-3

### A. FACTS

Pursuant to Section 10 of the City of Reading Code of Ethics, the Board of Ethics is authorized, upon the written request of any public official or City employee, to render advisory opinions concerning matters of governmental ethics and to consider questions as to ethical conduct, conflicts of interest and the application of the ethical standards set forth in the Code of Ethics.

The Board of Ethics has received a written request from Russell W. Scianna, Esquire, City solicitor, to issue an advisory opinion concerning Councilman Paul Hoh.

According to Mr. Scianna's letter, Council President Hoh and his wife Kate paid for the printing of tickets for "Citizens for a Clean Reading" for a spaghetti dinner fund raiser, held April 22, 1998. A copy of the ticket was enclosed with Mr. Scianna's letter. Mr. Scianna notes in his letter that a referendum ballot question will appear at the Spring, 1998 election concerning the adoption of a comprehensive trash plan. Apparently, "Citizens for a Clean Reading" advocates the passage of the referendum.

Mr. Scianna seeks the Board's guidance as to whether Councilman Hoh violated any provisions of the Ethics Code in making such a donation.

### B. APPLICABLE CHARTER AND CODE PROVISIONS

The Board is of the opinion that there are no specific provision of the City Charter or Code of Ethics which are applicable to the factual situation set forth in Mr. Scianna's letter. In other words, although Councilman Hoh is subject to the provisions of the Charter or Code of Ethics which speaks to the issues raised.

### C. OPINION

It is the opinion of the Board of Ethics that Councilman Hoh has not violated any provisions of the City Charter or the Code of Ethics by paying for tickets for the



aforementioned fundraiser. The Board makes this determination because it is of the opinion that there is no specific provision of the Charter or Code of Ethics which speaks to the situation involving Councilman Hoh and his wife.

The Board is also cognizant of the fact that Councilman Hoh has the right, as does any other citizen, to participate in the political process and to advocate for points of view which he supports. Such freedoms are well established through principles such as the First Amendment. Of course, Councilman Hoh, as are other members of Council, will be constrained and subject to the Charter and the Code of Ethics, as applicable.

CITY OF READING, BOARD OF ETHICS

By: Edmond J. Doherty  
Edmond J. Doherty, Chairman

Dated: May 11, 1998

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