BILL NO. 16 - 2013

AN ORDINANCE

AMENDING THE CHARTER BOARD ORDINANCE, SECTION V. ENFORCEMENT, PART C BOARD INFORMATION REGARDING THE CONFIDENTIALITY OF CHARTER BOARD DECISONS

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1.
Amending The Carter Board Ordinance, Section V. Enforcement, Part C Board Information regarding the confidentiality of Charter Board decisions as attached stated below.

C. Board Information.

1. Confidentiality of Board Information. All Board proceedings and records relating to an investigation shall be confidential until a final determination is made by the Board. The final order shall become a public record ~~once the subject has exhausted all appeal rights or has failed to timely exercise such rights~~ at the time the Board renders its decision and issues a Final Order.

All other records and proceedings shall remain confidential except:

a) as necessary to effect due process;

b) for the purpose of seeking advice of legal counsel;

c) for the purpose of filing an appeal from a final order;

d) for hearings conducted in public according to Section V(A)(7);

I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original ordinance passed by the Council of the City of Reading, on the 8th day of April A. D. 2013. Witness my hand and seal of the said City this 16th day of April A. D. 2013.

CITY CLERK

e) for communicating with the Board or its staff, in the course of an investigation or hearing or before a final determination is made by the Board;

f) for consulting with law enforcement officials for the purpose of initiating, participating in, or responding to an investigation, or hearing;

g) for testifying under oath before a governmental body;

h) for information relating to a complaint, investigation, or hearing which is disclosed by the subject of such complaint, investigation, or hearing;

i) for the divulgence by individuals who are interviewees to confidential Board proceedings as to information that was already in their possession or as to their own statements;

j) for the publication or broadcast of information legally obtained by the news media regarding a confidential Board proceeding;

2. Board Records.

a) All Final Orders of the Board shall be kept on public file at the Office of the City Clerk. The City Clerk shall also file copies of all Final Orders of the Board with the Law Library of Berks County Court of Common Pleas.

b) All confidential records and proceedings of the Board shall be kept on closed file at the Office of the City Clerk.

SECTION 2: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 3: If any section, subsection, sentence or clause of this ordinance is held for any reason to be invalid such decision shall not affect the validity of the *remaining portions of the Ordinance.*

SECTION 4: This Ordinance shall become effective in ten (10) days after passage.

Enacted April 8, 2013

Council President

Attest:

City Clerk

(Goodman-Hinnershitz)

Submitted to Mayor: _____
Date: 4/8/13

Received by the Mayor's Office: _____
Date: 4/9/13

Approved by Mayor: _____
Date: 4/9/13

Vetoed by Mayor: _____
Date: _____