



## BOARD OF ETHICS

### CITY OF CHICAGO

#### **SUMMARY OF WAIVER FROM THE POST-EMPLOYMENT RESTRICTIONS IN THE GOVERNMENTAL ETHICS ORDINANCE, GRANTED FEBRUARY 22, 2019 CASE NO. 19010.W**

At its February 22, 2019 meeting, the Board of Ethics granted a waiver from the post-employment restrictions in the City's Governmental Ethics Ordinance (the "Ordinance") to Richard Edgeworth, formerly an employee of the Chicago Fire Department ("CFD"), pursuant to §2-156-402(b) of the Ordinance. In accordance with that same section, we summarize the waiver granted as follows.

On February 5, 2019, the Department of Buildings ("DOB") requested that Mr. Edgeworth, who retired from City employment on November 29, 2018, be granted a waiver from the Ordinance's post-employment provisions so that he may work on DOB's third attempt to modernize the Chicago Building Code (the "Code"). This would enable DOB to introduce an ordinance to City Council in March, 2019. In its waiver request, DOB states there have been major changes in the overlapping and international fire codes, and that building and fire codes are intertwined. Expertise is needed in both fields to coordinate changes. Among other goals, the purpose of this project is to enhance safety. DOB has contracted with the International Code Council<sup>1</sup> ("ICC") for guidance and technical expertise. Mr. Edgeworth is under contract with the ICC as a Fire Protection Subject Matter Expert, and has been asked to assist the ICC with this code modernization project.

Mr. Edgeworth retired as Deputy Fire Commissioner with the Chicago Fire Department ("CFD") on November 29, 2018, due to mandatory CFD retirement requirements, after 37 years of City service. In his long and distinguished career, he served as the Chicago Fire Department's Director of Training, Director of Safety, and as the Chief Public Safety Officer at the Department of Aviation. At the time of his retirement, he was Deputy Fire Commissioner of the Fire Prevention Bureau.

According to the waiver request: (i) his long experience gives him a unique and integral part of this major code update; (ii) he would participate in meetings to assist with the integration of the above-mentioned codes; (iii) his unique knowledge of the City's building and fire codes would allow him to help harmonize DOB's and CFD's codes with model building and fire codes; (iv) his non-participation would hamper DOB's ability to move forward with introduction of an ordinance to City Council in March, and its implementation if passed; and (v) successful completion of the project will require cooperation from DOB, CFD and other City departments that regulate construction and building safety.

Without a waiver, Mr. Edgeworth would be prohibited, under the Ordinance's one-year post employment subject matter ban, from assisting ICC on this project, because it involves the same subject

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<sup>1</sup> The International Code Council was established in 1994 as a non-profit organization (with its own board and officers) dedicated to developing a set of comprehensive and coordinated national model construction codes. It is now a member-focused association with over 64,000 members dedicated to developing model codes and standards used in the design, build and compliance process to construct safe, sustainable, affordable and resilient structures; most U.S. communities and many global markets choose the International Codes.

matter in which he was personally and substantially involved during his City service – namely interpreting fire and building codes, and fire safety, public safety, and fire prevention.<sup>2</sup>

By a 4-0 vote (Nancy C. Andrade, Dr. Stephanie Cox-Batson and David L. Daskal, absent), the Board granted Mr. Edgeworth the waiver from §2-156-100(b) of the Ordinance to enable him to work on this project, as his work is timely, otherwise prohibited, and compellingly in the public interest in promoting public safety and security.

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<sup>2</sup> §2-156-100(b) of the Ordinance prohibits former City employees from assisting or representing any person, such as a new employer or client, on any business transaction involving the City for one year if they were “personally and substantially involved in the subject matter” of that business transaction.