

SEO Conflicts of Interest – 25 Pa. Code § 72.41

An SEO is prohibited from reviewing a sewage planning module for an on-lot sewage system if the SEO has provided consulting services to the applicant related to preparation of the sewage planning module.

When an SEO retained by a municipality is employed by a consulting firm, the SEO cannot review a sewage planning module if another employee of the consulting firm was retained by the applicant to provide services in preparation of the module. When a conflict of this nature arises, the SEO must advise the municipality, and the municipality must ensure that the sewage planning module is reviewed by an alternate SEO without a conflict of interest (i.e., an SEO that did not provide services in preparation of the module and is not employed by a consulting firm that provided such services).

A municipality that retains an SEO through a contract with a consulting firm is not prohibited by the conflict of interest requirements in 25 Pa. Code § 72.41 from contracting with the same consulting firm for other municipal services, such as building code inspections or local zoning ordinance compliance reviews. Municipal officials and employees have the obligation to comply with the Public Official and Employee Ethics Act (65 Pa.C.S. § 1101 *et seq.*). To the extent a municipal official or employee has a conflict of interest question under this law, the official or employee should consult the solicitor for the municipality or the State Ethics Commission for advice.

For more information, please contact the Division of Municipal Facilities by telephone at 717-772-2186.