

Bill No. 2969-06

No. 43-00-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, to amend the Code of the County of Allegheny, Division 1, entitled "Administrative Code," §5-1013.09 entitled "Standards of Conduct," in order to clarify the duties of Members of Allegheny County Council with regard to employment with local, state or federal government.

WHEREAS, the Accountability, Conduct and Ethics Code of Allegheny County, contained within Article 1013 of the Administrative Code, sets forth guidelines for the accountability, conduct and ethics of Allegheny County; and

WHEREAS, Council desires to clarify §5-1013.09 of the Administrative Code insofar as it pertains to the employment of Members of Allegheny County Council by local, state, or federal government entities;

The Council of the County of Allegheny hereby enacts as follows:

SECTION 1.

Article 1013 of Division 1 of the Code of Allegheny County is hereby amended as follows:

§5-1013.09. Standards of Conduct.

All covered persons shall set and follow an example of proper conduct that shall include the following:

* * *

O. Political activity.

- (1) Employees shall have the right to hold membership in a political party, to vote, to express publicly or privately opinions on political subjects and candidates, to maintain political neutrality, and to otherwise participate in political meetings and activities. Employees must engage in all such activities as private citizens, away from County workplaces, out of uniform and during nonworking hours, except union officers in the normal conduct of union activities.

- (2) No covered person shall use the authority or influence of his or her office for the purpose of interfering with the result of an election.
- (3) No covered person shall solicit, directly or indirectly, any employee reporting to such covered person to engage in political activity or to suggest that such covered employee engage in such political activity. No covered person shall solicit, directly or indirectly, campaign contributions from a person reporting to such Covered Person.
- (4) County Council members first elected or appointed after January 1, 2000 are prohibited from being directly employed, in any paid capacity, by another elected official in local, state or federal government, excluding Members of the Armed Forces of the United States of America. For the purposes of this section:
 - (a) An individual shall be deemed to be employed in government if he or she performs any type or quantity of work in exchange for any monetary compensation for an elected official or for an agency incorporated within the executive, legislative or judicial branch or operating as an agency of any local, state, or federal government; and
 - (b) Employment status shall not be contingent upon whether the individual performs work on a full or part time basis, receives benefits, is employed pursuant to a contract for services, or any other factor other than the receipt of monetary compensation.
 - (c) Any individual elected or appointed to County Council prior to January 1, 2000 shall continue to hold his or her office until he or she's term expires and/or he or she is not reappointed or reelected.

* * *

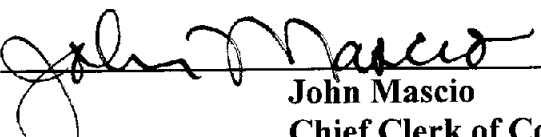
SECTION 2. *If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.*

PRIMARY SPONSOR: COUNCIL PRESIDENT FITZGERALD

Enacted in Council, this 19th day of December, 2006,

Council Agenda No. 2969-06.


Rich Fitzgerald
President of Council

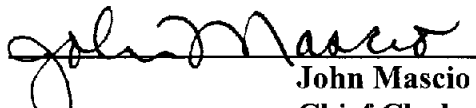
Attest: 
John Mascio
Chief Clerk of Council

Chief Executive Office _____, 2006

Approved: _____
Dan Onorato
Chief Executive

Attest: _____
Donna Beltz
Executive's Secretary

I do hereby certify that the foregoing Ordinance, duly engrossed and certified, was delivered by me to the Chief Executive for his approval or disapproval and that the Chief Executive failed to approve or disapprove the same, whereupon, it became law without his approval under the provisions of Section 311.07(E) of the Administrative Code of Allegheny County.


John Mascio
Chief Clerk of Council