

# Allegheny County Council

*County of Allegheny  
436 Grant Street  
Pittsburgh, PA 15219  
Phone (412) 350-6490*



## Meeting Minutes - Approved

**Wednesday, October 29, 2014**

**4:00 PM**

**Conference Room I**

### **Committee on Health & Human Services**

*John Palmiere, Chair; Thomas Baker, James Ellenbogen, Nick Futules, Robert Macey,  
Sue Means, William Robinson*

## I. Call to Order

*The meeting was called to order at 4PM.*

### Invited Guests:

**William D. McKain, CPA-County Manager or Designee**

**Karen Hacker, MD, MPH-Director, Department of Health**

*Mr. Thompson, Ms. Graham, and Dr. Hacker were present from the Health Department.*

*Ms. Sicard and Mr. Catanese were present from Council staff.*

*Mr. Pilarski was present from the County Manager's Office.*

*Ms. Chirdon was present from the Controller's Office.*

*Ms. Danko and Mr. Finnerty were present as non-committee members of Council.*

## II. Roll Call

**Members Present:** 2 - Sue Means and John Palmiere

**Members Absent:** 4 - Tom Baker, Jim Ellenbogen, Bob Macey and William Robinson

**Members Phone:** 1 - Nick Futules

## III. Approval of Minutes

[8564-14](#)

Motion to approve the minutes of the Allegheny County Council Health and Human Services Committee meeting held on June 25, 2014.

**Passed**

## IV. Agenda Items

### Ordinances

[8424-14](#)

An Ordinance of the Council of the County of Allegheny ratifying amendments to Allegheny County Health Department Rules and Regulations pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. §12001 et seq.

**Sponsors:** Chief Executive

*Ms. Graham stated that the proposed changes in the ordinance were clean ups from past changes to comport to the current regulations per the State and Federal law.*

*The second provision was to provide for the removal of a contingency to be consistent with the Federal plan.*

*The last provision is regarding fees for emissions to comport with State requirements. The Department decided to merely make reference to State Fees generally so that changes did not have to be made upon every change by the State.*

*Ms. Means inquired about the emission limit threshold in relation to the fees. Ms. Means inquired as to the fees applicable to the natural gas industry. Ms. Grahm stated that currently individual wells are not considered major sources which would incur the fees.*

*Ms. Danko inquired as to the State policy on the quarter mile distance between wells as to incur the aggregate computation on the major source rule and if that distance limit could be changed on the State level.*

*Mr. Thompson stated that if there was a more stringent regulation set forth by the County then the Health Department would enforce the more stringent requirement.*

*Mr. Finnerty inquired if County Regulations tended to be more stringent than the State. Ms. Grahm stated that generally we meet but do not exceed the State requirements.*

*Ms.*

**Affirmatively Recommended**

Enactment No: 17-14-OR

[8500-14](#)

An Ordinance of the Council of the County of Allegheny ratifying amendments to Allegheny County Health Department Rules and Regulations pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. §12001 et seq.

**Sponsors:** Chief Executive

*Ms. Grahm stated that the open burning regulation amendment was to create more firm language for enforcement and to come into line with the State Regulations.*

*Ms. Grahm stated that there were a number of comments elicited during the public comment period and resulted in the taking out of the exception for outdoor workers.*

*Ms. Means inquired as to how people will know when air quality control days were to be enforced. Ms. Grahm stated that they were working on alerting the public and currently utilize the website and the County Alert System to alert the public.*

*Ms. Means stated her concern on the 15 foot set back requirement and how it may impact existing fire pits and how she believes that it is an issue better decided by the municipalities.*

*Ms. Grahm stated that back yard burning would not require a permit. Ms. Means commented that the language seemed confusing.*

*Mr. Futules stated that he would like to either hold the bill or to move it forward to the Council with neutral recommendation.*

*Ms. Grahm stated that there was enforcement discretion involved with the set-back requirement and that properties would most not likely be subject to penalties unless they were nuisance properties.*

*Dr. Hacker stated that they do not have the capacity to investigate every property and that not every permanent fire pit would be subject to an enforcement officer asking for a removal or relocation, that it was neighbor complaint driven.*

*Mr. Futules asked who would be responsible for enforcement at late hours of the night.  
Mr. Thompson stated that the police were also able to enforce the regulation.*

*Ms. Danko inquired as to the number of inspectors available to enforce the regulation.  
Ms. Grahm stated that presently the Health Department has two full time inspectors.*

*Ms. Danko asked if indoor fireplaces are also regulated Mr. Thompson stated that wood  
burning stoves are subject to EPA regulation but fireplaces generally were not.*

*Mr. Finnerty stated that he was in favor of the 15 foot requirement. Ms. Grahm stated that  
there was a lot of discussion and thought that went into the decision to make the  
setback 15 feet to accomodate the different population densities throughout the County.*

*Dr. Hacker stated that there are cities that currently have an outright ban on firepits.*

*Ms. Means inquired about the penalties. Ms. Grahm stated that the first step would be a  
letter of notice and then the financial penalties would ensue and possibly increase.*

*Ms. Means stated her concern about selective enforcement and that the fifteen foot set  
back requirement could not be amended out. She stated she would like to send with a  
negative*

**Returned Without Recommendation**

Enactment No: 19-14-OR

**V. Adjournment**

*The meeting was adjourned at 4:45 PM.*