

Bill No. 1824-05

No. 03-05-OR

AN ORDINANCE

Ordinance of the County of Allegheny County, Commonwealth of Pennsylvania, amending Article 301, § 5-301.08 of the Administrative Code to providing further clarification as to how vacancies on County Council are to be filled.

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

SECTION 1.

Article 301, § 5-301.08 of the Administrative Code is amended as follows:

§ 5-301.08. Vacancies.

If a County Council seat becomes vacant due to death, resignation, forfeiture of office or failure to assume office after election within 30 days after the scheduled commencement of the term, the other members of County Council shall appoint an interim County Council Member within 30 days in accordance with the provisions of Article III, § 9, of the Charter. The interim County Council Member shall be qualified under the Home Rule Charter to be elected to such office and shall have the same political party affiliation as the former County Council Member, or in the case of a seat held by a person of no political party affiliation, shall have no political party affiliation. If a seat was held by a person having a political party affiliation, nomination of the individual to serve as interim County Council member shall be made only by the Caucus Chair of that political party.

The interim County Council member shall hold the vacated seat in accordance with the provisions of Subsection B, of Article III, § 9, of the Charter. In the event that County Council is unwilling or unable, for any reason whatsoever, to fill any vacancy within 30 days after the vacancy occurs, then the Court of Common Pleas, upon petition of 100 registered voters of the same political party and district as the former County Council member, or in the case of an at-large vacancy, the petition of 100 registered electors of the County and same political party, shall fill the vacancy.

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.*

SECTION 3. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

SPONSORED BY COUNCIL MEMBER GASTGEB

Enacted in Council, this 18th day of JANUARY, 2005

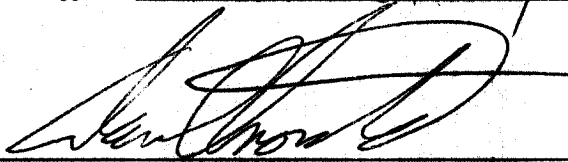
Council Agenda No. 1824-05



Rich Fitzgerald
President of Council

Attest: John Mascio
John Mascio
Chief Clerk of Council

Chief Executive Office JANUARY 25, 2004

Approved: 
Dan Onorato
Chief Executive

Attest: Donna Beltz
Donna Beltz
Executive's Secretary