

No. 34-23-OR

AN ORDINANCE

An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 301, entitled "County Council," §5-301.09, entitled "Compensation and expenses" in order to eliminate reference to the prohibition on members of Council receiving salaries that formerly existed in the Home Rule Charter of Allegheny County.

Whereas, Article III, §7(a) of the Home Rule Charter of Allegheny County formerly required that all County Council members be paid in the form of per-meeting stipends, rather than receiving a salary; and

Whereas, this restriction was unique to County Council members, and did not apply to any other elected official governed by the terms of the Home Rule Charter; and

Whereas, it was – and remains - the judgment of Council that this prohibition served no meaningful purpose, insofar as permitting the members of Council to be paid in the same fashion as all other County elected officials does not impair the function or operations of County government; and

Whereas, as part of its 2016 report, the Allegheny County Government Review Commission expressly recommended that the salary prohibition be abolished; and

Whereas, the per-meeting stipend requirement established in Article III, §7(a) of the Home Rule Charter was repealed via referendum question approved by the voters of Allegheny County on November 7, 2023; and

Whereas, it is accordingly the desire of Council to render the Administrative Code entirely consistent with the clearly expressed will of the people of the County, by eliminating the Administrative Code's reference to the per meeting stipend requirement that has been removed from the Charter;

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

SECTION 1. Incorporation of the Preamble.

The provisions set forth in the preamble to this Ordinance are incorporated by reference in their entirety herein.

SECTION 2. Amendment of the Code.

The Administrative Code of Allegheny County, Article 301, entitled "County Council," §5-301.09, entitled "Compensation and expenses," is hereby amended as follows:

§ 5-301.09. Compensation and expenses.

~~A. County Council members shall not receive a salary.~~

BA. County Council members shall establish by resolution, a per meeting stipend to be received by County Council members receive a salary not to exceed in aggregate \$10,939 annually per member. The limitation imposed under the terms of this Subsection shall automatically increase by five percent (5%) on January 1, 2025 and every fifth year thereafter.

CB. County Council members shall not be entitled to receive any indirect compensation for their services as County Council member. Such indirect compensation shall include funding for personal staff, local district offices or fringe benefits such as health and life insurance, pensions and personal motor vehicles.

DC. Members of County Council shall be entitled to reimbursement for actual and necessary expenses incurred; provided, however, that the expenditure:

- (1) Is related to the performance of official duties including, but not limited to, business related meals, parking, mileage, and costs related to the distribution to constituents of information regarding Council business;
- (2) Is submitted prior to payment with such detail as may be required by established County fiscal management policies; and
- (3) Shall not exceed \$3,646 per County Council member per year. The limitation imposed under the terms of this Subsection shall automatically increase by five percent (5%) on January 1, 2025 and every fifth year thereafter.

SECTION 3. Effective Date.

The provisions of this Ordinance shall become effective on January 1, 2024.

SECTION 4. Severability. *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.*

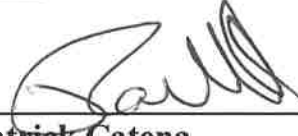
SECTION 5. Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

PRIMARY SPONSOR: COUNCIL MEMBER DUERR

CO-SPONSOR(S):

Enacted in Council, this 28th day of November, 2023

Council Agenda No. 12867-23



Patrick Catena
President of Council

Attest: _____



Jared E. Barker
Chief Clerk of Council

Chief Executive Office _____, 2023

Approved: _____

Rich Fitzgerald
Chief Executive

Attest: _____

Jennifer Liptak
Chief of Staff