

Bill No. 1235-03

No. 38-03-OR

## AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, directing that a referendum question authorizing the deletion of Subsection 6(b) of Article III of the County's Home Rule Charter, which places restrictions on the ability of certain persons to run for federal, state, county and local offices, be placed on the November 4, 2003 Municipal General Election ballot.

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

**Section 1.** The Allegheny County Board of Elections is hereby directed to place a question on the November 4, 2003 Municipal General Election Ballot that would provide that Article III of the Allegheny County Home Rule Charter be amended to delete Subsection 6(b) which places restrictions on the ability of certain persons to run for federal, state, county and local offices.

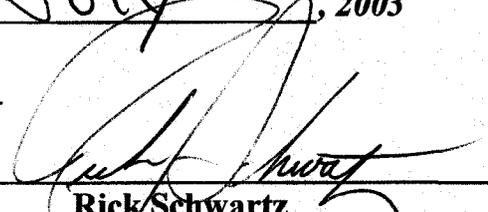
**SECTION 2.** *If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.*

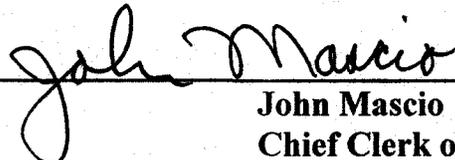
**SECTION 3.** *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.*

**SPONSORED BY COUNCIL MEMBERS FONTANA & FITZGERALD**

Enacted in Council, this 8<sup>th</sup> day of July, 2003

Council Agenda No. 1235-03

  
Rick Schwartz  
President of Council

Attest:   
John Mascio  
Chief Clerk of Council

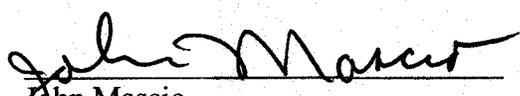
Approved as to form: \_\_\_\_\_  
Charles P. McCullough  
County Solicitor

Chief Executive Office \_\_\_\_\_, 2003

Approved: \_\_\_\_\_  
James C. Roddey  
Chief Executive

Attest: \_\_\_\_\_  
Victoria Spence  
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



**JAMES C. RODDEY**  
CHIEF EXECUTIVE

# County of Allegheny

101 COURTHOUSE ♦ 436 GRANT STREET  
PITTSBURGH, PENNSYLVANIA 15219  
PHONE (412) 350-6500 ♦ FAX (412) 350-6512

July 17, 2003

Members  
Allegheny County Council  
119 Courthouse  
436 Grant Street  
Pittsburgh, PA 15219

Dear Council Members:

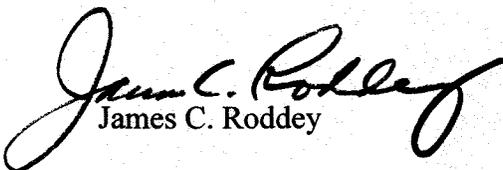
I am writing to advise you of my intention to allow Bill Number 1235-03, an ordinance of the County of Allegheny, Commonwealth of Pennsylvania directing that a referendum question authorizing the deletion of Subsection 6(b) of Article III of the County's Home Rule Charter, which subsection places restrictions on the ability of certain persons to run for federal, state, county and local office, be placed on the November 4, 2003 Municipal General Election ballot, to become effective without my signature.

Whether or not I support the matter outlined in the legislation, I am in favor of letting the people decide the fate of this issue. Therefore, I believe County Council has the right to place this matter before the voters on November 4, 2003.

It is unfortunate that the members of the majority party on Council are willing to place this issue on the ballot, but on the same night, reject an attempt to allow the voters to decide on a Row Office Consolidation question. It is evident from their actions that they are only in favor of letting the people decide an issue when their self interests are at stake.

For these reasons I am reluctantly allowing Bill Number 1235-03 to become effective without my signature.

Sincerely,

  
James C. Roddey

OFFICE OF THE COUNTY COUNCIL



# County of Allegheny

ROOM 119 • 436 GRANT STREET • PITTSBURGH, PA 15219

PHONE (412) 350-6490 • FAX (412) 350-6499

## MEMORANDUM

**To:** All Members of Council

**From:** John Mascio, Chief Clerk 

**Date:** July 17, 2003

**Subject:** Chief Executive Jim Roddey's unsigned return of Bill No. 1235-03, entitled, "An Ordinance directing a referendum question authorizing the deletion of Subsection 6(b) of Article III of the Home Rule Charter which places restrictions on the ability of certain persons to run for federal, state, county and local offices..."

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This is to inform you that the above reference legislation, which was passed in Council on July 8, 2003, was delivered by me to the Chief Executive for his approval or disapproval, and having failed to approve or disapprove of the Legislation, it became law under the provisions of Section 311.07(E) of the Administrative Code.

Attached is a copy of Mr. Roddey's letter to Council explaining his reason for not signing the legislation.

cc: Guy Tumolo  
Joe Catanese  
Amie Downs