

**No. 20-18-RE**

**A RESOLUTION**

A Resolution of the Council of the County of Allegheny ratifying asbestos abatement permit application fee increases approved by the Allegheny County Health Department pursuant to the Allegheny County Code of Ordinances, Section 505-49.C(8).

**Whereas**, Allegheny County, pursuant to the Local Health Administration Law, 16 P.S. §§ 12001-12028, created the Allegheny County Health Department, and the Allegheny County Board of Health; and

**Whereas**, Section 12011 of the Local Health Administration Law provides for the Board of Health to adopt regulations and submit such regulations to Allegheny County for approval or rejection; and

**Whereas**, Section 2105.62.h.4 of Article XXI of the Allegheny County Health Department Rules and Regulations, provides that the Allegheny County Board of Health may set, with approval by the Allegheny County Council, the fee for asbestos abatement project permit applications; and

**Whereas**, Section 2105.62.h.4 of Article XXI of the Allegheny County Health Department Rules and Regulations has been ratified as an ordinance by Allegheny County Council and codified as part of the Allegheny County Code of Ordinances at Section 505-49.C(8); and

**Whereas**, on July 18, 2018 the Allegheny County Board of Health approved the attached increase to asbestos abatement project permit application fees; and

**Whereas**, it is the desire of Council to ratify the asbestos abatement project permit application fees increases as approved by the Board of Health.

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

**SECTION 1.        Incorporation of Preamble.**

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

**SECTION 2.        Ratification of Fee Increase.**

Acting pursuant to the Local Health Administration Law, the Allegheny County Home Rule Charter, and the Allegheny County Code of Ordinances, County Council hereby ratifies the asbestos abatement project permit fee increases approved by the Allegheny

County Board of Health on May 4, 2016 and attached hereto as Exhibit "A," containing therein the amended fee schedule.


**SECTION 3. Severability. If any provision of this Resolution shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall be in full force and effect.**

**SECTION 4. Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.**

Enacted in Council, this 18<sup>th</sup> day of December, 2018

Council Agenda No. 1089078

  
John DeFazio  
President of Council

Attest:   
Jared Barker  
Chief Clerk of Council

Chief Executive Office December 19, 2018

Approved:   
Rich Fitzgerald  
County Executive

Attest:   
Sonya Dietz  
Executive's Secretary

## **Legislative Summary**

The Allegheny County Health Department (“ACHD”) has been incurring significant costs due to frequent requests for inspections at large asbestos abatement projects. Due to these inspection costs, the ACHD has developed a more equitable asbestos abatement permit fee schedule in order to ensure that large projects pay a more proportional share of the ACHD’s costs for asbestos inspections. Furthermore, in order to lessen the financial burden on Allegheny County’s municipalities, the proposed changes to the asbestos abatement permit fee schedule lessens the permit costs for municipalities seeking to demolish blighted asbestos-containing structures within their communities. The additional revenue gained from the increased permit fees will be used to enhance asbestos staff efficiency with tracking software and will be used for health and safety requirements for asbestos staff. The ACHD recommended to the Board of Health these proposed changes be implemented, and the Board of Health approved the new asbestos abatement permit fee schedule during its July 18, 2018 public meeting.

## “Exhibit A”

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### Proposed Changes to the Allegheny County Health Department’s Asbestos Abatement Project Permit Application Fee Schedule

| <b>Permit Type</b>                                                   | <b>Current Fee</b> | <b>Proposed Fee</b> |
|----------------------------------------------------------------------|--------------------|---------------------|
| All municipal-funded residential demolitions                         | \$700 Average*     | \$350               |
| 160-299 ft <sup>2</sup> Asbestos Containing Material (“ACM”) removed | \$200              | \$200               |
| 300-999 ft <sup>2</sup> ACM removed                                  | \$450              | \$450               |
| 1000-1999 ft <sup>2</sup> ACM removed                                | \$850              | \$850               |
| 2000-4999 ft <sup>2</sup> ACM removed                                | \$850              | \$1250              |
| 5000-9999 ft <sup>2</sup> ACM removed                                | \$850              | \$1550              |
| 10,000 ft <sup>2</sup> or more ACM removed                           | \$850              | \$1850              |
| Annual operations & management permit                                | \$850              | \$850               |

\* Historical Fee Range: \$200 - \$850. The average fee of all permits issued in 2017 for municipal-funded residential demolitions was \$700.

**M E M O R A N D U M**  
**OFFICE OF THE COUNTY MANAGER**

TO: Jared E. Barker  
Allegheny County Council

FROM: William D. McKain CPA  
County Manager

DATE: November 29, 2018

RE: Proposed Resolution

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Attached is a Resolution of the Council of the County of Allegheny ratifying asbestos abatement permit application fee increases approved by the Allegheny County Health Department pursuant to the Allegheny County Code of Ordinances, Section 505-49.C(8).

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

I am requesting that this item be placed on the agenda at the next Regular Meeting of Council.

2018 NOV 29 AM 11:16  
RECEIVED  
ALLEGHENY COUNTY COUNCIL