

No. 35-09-OR

AN ORDINANCE

Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 307, entitled "Operations of County Council," §307.08, entitled "Conduct of business," in order to provide for the attendance of the Chief Executive at regular County Council meetings on a quarterly basis.

WHEREAS, Article V, Section 2(l) of the Home Rule Charter of Allegheny County requires that the Chief Executive attend and participate in designated quarterly meetings; and

WHEREAS, Section 5-307.08.C. of the Administrative Code of Allegheny County provides that County Council may require that the Chief Executive attend one County Council meeting in each quarter of the fiscal year; and

WHEREAS, the provisions of neither the Administrative Code nor the Home Rule Charter specifies the timing of the Chief Executive's appearances; and

WHEREAS, in accordance with the Charter and Code provisions described above, Council wishes to amend the Administrative Code establish the timing of the Chief Executive's attendance at regular meetings of Council;

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

SECTION 1.

Section 307.08, subsection D. of the Administrative Code of Allegheny County is hereby amended as follows:

§5-307.08. Conduct of business.

* * *

D. ~~County Council may require, as it deems necessary, the attendance of the Chief Executive at one County Council meeting in each quarter of the fiscal year. The Allegheny County Chief Executive shall attend one regularly scheduled meeting of Allegheny County Council in each of the months of March, June, September and~~

December of every calendar year. The Chief Executive may select which regular meetings fulfilling the requirement of this Subsection he wishes to attend, provided that he submits written notice of his selection no later than thirty (30) days prior to the scheduled date of the selected regular meeting. In the event that the Executive fails to submit such written notice, he shall be deemed to have selected the second meeting in the appropriate month. Council may, upon written request by the Chief Executive, grant the Executive an extension of time to appear of no more than thirty (30) days, provided that such extension is offered in the form of a motion and approved by at least a majority of the seated Members of Council. The requirements of this subsection shall not be deemed to be met by the Chief Executive's attendance at any meeting to present the County's Comprehensive Fiscal Plan or make any appearance otherwise required by the Home Rule Charter or Allegheny County Code of Ordinances.

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SECTION 2.

The provisions of this Ordinance shall become effective immediately upon final approval.

SECTION 3. *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 4. *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 ROBINSON

**CO-SPONSORS: COUNCIL MEMBERS CLEARY, DROZD, ELLENBOGEN,
FINNERTY, GREEN, McCULLOUGH and PRESIDENT
FITZGERALD and VICE PRESIDENT MARTONI**

Enacted in Council, this 22nd day of September, 2009

Council Agenda No. 5110-09


Rich Fitzgerald
President of Council

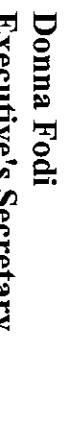
Attest: 
Allegheny County Council

Chief Executive Office _____, 2009

Approved: _____

Dan Onorato
Chief Executive

Attest: _____


Donna Fodi
Executive's Secretary