

No. 26-08-0R

Bill No. 4424-08

## AN ORDINANCE

Ordinance of the County of Allegheny Commonwealth of Pennsylvania amending Section 5-1007.11 of the Allegheny County Code to provide for a waiver of the residency requirement for certain positions or classifications of employees.

**Whereas**, Section 5-1007.11(A) of the Allegheny County Code provides that all new applicants for County employment who accept an appointment as a County employee must become a resident of the County within one (1) year of the acceptance of appointment; and

**Whereas**, County Council has determined that the residency requirement may impose an undue and harsh burden and ultimately will have a deleterious impact upon the County in certain circumstances; and

**Whereas**, County Council has determined that a waiver of the residency requirement for newly hired employees is necessary in certain circumstances for the efficient and effective operation of certain County departments.

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

***Section 1. Incorporation of Preamble***

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

***Section 2. Amendment of the Residency Requirements for County Employment.***

Section 5-1007.11 of the Allegheny County Code is amended to add the following:

**Section 1007.11      Residency**

\* \* \*

D. In the event that there are insufficient qualified applicants who reside in the County for the positions in the Career Service described herein, then the residency requirement set forth in subsection A of this section requiring individuals to move to and live within Allegheny County within one (1) year of appointment as a County employee shall not apply to applicants for the following positions:

1. Lifeguards in the Public Works Department.
2. Caseworkers in all County departments.
3. Specific information technology positions in the Department of Computer Services who are currently under contract with the County.
4. Air Pollution Control Engineers and Coke Oven Technicians employed in the Air Quality Division of the Allegheny County Health Department.

**Section 3. Effective Date**

This Ordinance shall take effect immediately.

**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.*

Enacted in Council, this 18<sup>th</sup> day of November, 2008

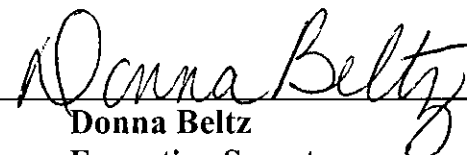
Council Agenda No. 4424-08.

  
Rich Fitzgerald  
President of Council

Attest:   
John Mascio  
Chief Clerk of Council

Chief Executive Office  November 25, 2008

Approved:   
Dan Onorato  
Chief Executive


Attest:   
Donna Beltz  
Executive Secretary

## SUMMARY OF LEGISLATION

This legislation would provide for a waiver to the County residency requirement for new hires in the positions of Air Pollution Control Engineers and Coke Oven Technicians employed in the Air Quality Division of the Allegheny County Health Department.

**MEMORANDUM**  
**OFFICE OF THE COUNTY MANAGER**

TO: John Mascio  
Chief Clerk

FROM: James M. Flynn, Jr.   
County Manager

DATE: October 30, 2008

RE: Proposed Ordinance

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Attached is an Ordinance amending Section 5-1007.11 of the Allegheny County Code to provide for a waiver of the residency requirement for certain positions or classifications of employees.

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.

ALLEGHENY COUNTY COUNCIL  
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