

Bill No. **2234-05**

No. **54-05-0R**

AN ORDINANCE

Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, establishing the parameters under which the County administration may enter into discussions regarding the cooperation of the City of Pittsburgh and Allegheny County in the performance and exercise of certain governmental functions, defining "intergovernmental cooperation," and providing for the adoption of ordinances to enter into intergovernmental cooperation agreements pursuant to the General Local Government Code, 53 P.S. § 2301 et. seq. (hereinafter the "Code").

WHEREAS, the Code provides that two or more municipalities may jointly cooperate in the exercise of or performance of their respective governmental functions, powers, or responsibilities, when both bodies pass an ordinance to that effect; and

WHEREAS, the Code defines "intergovernmental cooperation" as cooperation or agreement in the exercise of any function, power or responsibility or the transfer of any function, power or responsibility with or to one or more other local governments, 53 P.S. §2304; and

WHEREAS, Ordinance No. 24-04 of the County of Allegheny, approved by the Council on August 17, 2004, authorized the Administration to discuss cooperation agreements between the City and County, but vested final approval of such agreements with Council; and

WHEREAS, the authorization contained within Ordinance No. 24-04 expires on December 31, 2005;

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

SECTION 1.

For the purposes of this Ordinance, the term "intergovernmental cooperation" shall be defined consistently with the definition found in 53 P.S. §2304, and shall encompass any agreement, contract, memorandum of understanding, policy, procedure, or other accord, regardless of title or other descriptive nomenclature, which gives effect to cooperation or agreement in the exercise of any function, power or responsibility or the transfer of any function, power or responsibility with, from or to the City of Pittsburgh.

SECTION 2.

Effective January 1, 2006, the Administration of the County is hereby authorized to enter into discussions regarding intergovernmental cooperation with the City of Pittsburgh in the

performance of governmental functions. To the extent practicable, the Chief Executive shall provide periodic updates on the status of pending discussions to Council . All communications received from the Chief Executive regarding open discussions shall be deemed confidential communications, and shall not be released as public records before finalization of the agreements to which they pertain.

SECTION 3.

Pursuant to the General Local Government Code, 53 P.S. § 2301 et seq., when specific cooperating agreements, as defined in Section 1 of this Ordinance, have been negotiated and are ready to be entered into, an ordinance authorizing the County to enter into the specific agreement shall be required through the legislative action of County Council, pursuant to § 2305 and § 2307 of the Act.

SECTION 4 . *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.*

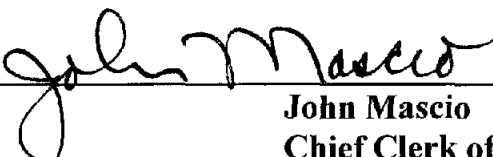
SECTION 5 . *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.*

SPONSORED BY COUNCIL MEMBER ROBINSON

Enacted in Council, this 20th day of December, 2005,

Council Agenda No. 2234-05


Rich Fitzgerald
President of Council

Attest: 
John Mascio
Chief Clerk of Council

Chief Executive Office _____, 2005

Approved: _____
Dan Onorato
Chief Executive

Attest: _____
Donna Beltz
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