

Bill No. 3037-07

No. 38-07-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances to include a new Chapter 271, entitled "Allegheny County Utility Infrastructure Web Site."

WHEREAS, entities that provide natural gas, electric, and water service to the residents of Allegheny County perform vital services for the public, upon which these individuals rely on a daily basis; and

WHEREAS, the County's businesses are very often completely dependent upon one or more utilities for their ability to perform their functions for the public; and

WHEREAS, work performed on service networks by utility providers very often impacts the function of municipal public works departments; and

WHEREAS, elected officials, community leaders, public works departments, business owners and private citizens all have a vested interest in being apprised of work that the various utility providers have done on their service systems, as well as work that is to be performed in the future;

WHEREAS, there is currently no single reference for this type of information within Allegheny County;

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

Section 1.

The Allegheny County Code of Ordinances is hereby amended by the creation of a new Chapter 271, entitled "Allegheny County Utility Infrastructure Web Site," and comprised of the following new sections:

§271-01. General Requirement.

The Allegheny County Department of Public Works shall, with the assistance of the Division of Computer Services, create and maintain an Allegheny County Utility Infrastructure Web Site that is made available to the public. This web site shall function as a database of the County's utility providers, under the requirements of this Chapter, and shall be searchable by users.

Participation in the program by the utility providers shall be voluntary. For the purposes of this Chapter, all entities that provide natural gas, electricity or water service to private homes or businesses within Allegheny County shall be deemed to be a utility.

§271-02. Features to be Included on Site; Cost.

The Department of Public Works shall, with the assistance of the Division of Computer Services, create and maintain an Allegheny County Utility Infrastructure Web Site. This web site shall, at a minimum, incorporate search capabilities, utility contact information, descriptions of infrastructure improvements performed and budgets for past and future infrastructure improvements, notations of service failures together with causes of such failures and remedial actions taken, and descriptions of utilities' businesses, to the extent that this information is forwarded to the Department of Public Works by the County's various utility providers. Access to the Allegheny County Utility Infrastructure Web Site shall be granted to all individuals at no cost to the user. Fees for participation by utility providers may be established by the Department of Public Works, but in no event shall such fees exceed twenty-five dollars (\$25.00) for initial listings or five dollars (\$5.00) for updating previously listed information.

§271-03. Voluntary Participation by Utility Providers.

Every entity, however incorporated, that provides natural gas, electricity or water service to private homes or businesses within Allegheny County shall be eligible to participate in the Allegheny County Utility Infrastructure Web Site, as established by this Chapter. No business or individual shall be compelled to participate in such web site, nor shall any penalty be levied against any business or individual that elects not to participate.

§271-04. Information to be Provided by Participants.

Any utility provider that elects to participate in the Allegheny County Utility Infrastructure Web Site under the terms of §271-02 may provide the following information to the Allegheny County Department of Public Works:

- A. The name of the utility provider;
- B. The address of the utility provider;
- C. The telephone number of the utility provider; and
- D. Descriptions of infrastructure improvements performed and budgets for past and future infrastructure improvements;
- E. Notations of service failures together with causes of such failures and remedial actions taken;

F. Descriptions of the provider's business; and

G. The area(s) of Allegheny County to which the utility provides service, by ZIP code.

Submissions shall be provided by utility providers in a form prescribed by the Department of Public Works, and the Department shall be permitted to make edits to any submission provided that such edits do not materially alter the substance of the information provided.

§271-05. Search Capabilities.

The Allegheny County Utility Infrastructure Web Site shall have searching capabilities which shall include the ability to search for a utility provider by name, provider address, service area ZIP code, type of service provided, or the provider's telephone exchange.

§271-06. Changing or Updating Information Included on the Web Site.

Any information contained on the Allegheny County Utility Infrastructure Web Site shall be changed, edited or deleted at the request of the utility provider, subject to the fee provisions contained within §271-02.

§271-07. No Private Right of Action.

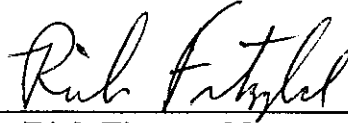
The provisions of this Chapter shall not grant any individual, group of individuals, organization, entity or any other person any right to bring any action in or before a court, administrative agency or board or any similar body premised upon participation or nonparticipation in the Allegheny County Utility Infrastructure Web Site.

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.*

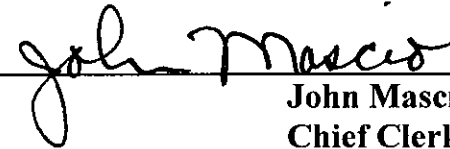
PRIMARY SPONSOR: COUNCIL MEMBER MACEY

Enacted in Council, this 23rd day of October, 2007

Council Agenda No. 3037-07



Rich Fitzgerald
President of Council

Attest: 
John Mascio
Chief Clerk of Council

Chief Executive Office October 29, 2007

Approved: 
Dan Onerato
Chief Executive

Attest: 
Donna Beltz
Executive's Secretary