

Bill No. 1680-04

No. 39-04-OR

## AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Article 1203, § 1203.10 of the Administrative Code by providing that the charge of the Government Review Commission include recommendations surrounding any referendum question amending the Home Rule Charter that is or will be considered during the Commission's term.

**WHEREAS**, Article XIII, § 5 of the Allegheny County Home Rule Charter provides for a County Government Review Commission which is charged with studying the Charter and County government to evaluate the effectiveness, efficiency, and equity of County government and the Charter; and

**WHEREAS**, Article 1203 of the Administrative Code further provides for the membership, organization, charge, and activities of the Government Review Commission with an intent to protect the taxpayers of Allegheny County and allow those citizens better access to and a larger voice in County government; and

**WHEREAS**, citizen participation in County government through voting to amend the Home Rule Charter and membership on the Government Review Commission is imperative in responding to the concerns of the residents and taxpayers of this County and corresponds with the Commission's charge to make recommendations on County government and amendments to the Home Rule Charter; and

**WHEREAS**, a ballot question to amend a Home Rule Charter, in some cases, provides minimal direction or structure for changes to County government if the referendum passes leaving the responsibility to the governmental body with little opportunity for further input from the citizens; and

**WHEREAS**, the use of the Government Review Commission to make recommendations regarding direction or structure for changes to County government pursuant to a referendum question, regardless of its approval or defeat, insures that the citizens have a voice in the process and are given access to the information, data, reports, records, and other documents that are necessary to make their recommendations.

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

### **SECTION 1.**

Article 1203, § 1203.10 of the Administrative Code is amended by adding a new subsection D as follows:

**1203.10. Activities of Review Commission.**

- A. The Review Commission shall hold such public hearings as it deems necessary for the proper conduct of its review.
- B. The Review Commission shall have the power to conduct inquiries and investigations to aid in the performance of its duties.
- C. The County Council, the Chief Executive and the County Manager shall make available to the Review Commission all information, data, reports, records and other documents necessary for carrying out the duties of the Review Commission. This cooperation shall be provided in a timely fashion and may include the attendance of Department Directors at meetings and hearings.
- D. In the event that a referendum question amending the County Home Rule Charter is to be considered during its term, the Review Commission shall also make recommendations based on whether the question is approved or defeated.
  - (1) If the referendum is approved by a majority of electors and certified as such by the Board of Elections, the Review Commission shall consider the effect of the question and make recommendations regarding implementation of changes, including organization, practices, and responsibilities that are to be altered pursuant to the amendment. Such recommendations shall also include a time frame in which implementation could be accomplished.
  - (2) If the referendum is defeated, the Review Commission shall consider the question and make recommendations as to whether another question should be posed to the electorate or whether other action should be taken to effectuate the premise of the failed referendum.

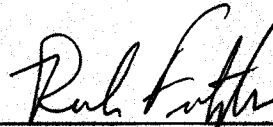
**SECTION 2. *If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.***

**SECTION 3. *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.***

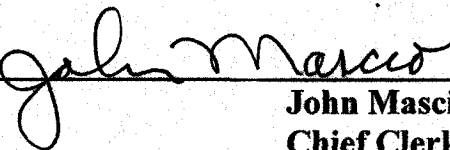
**SPONSORED BY COUNCIL VICE PRESIDENT WAYNE FONTANA**

Enacted in Council, this 21st day of December, 2004


Council Agenda No. 1680-04

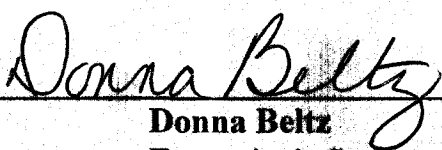


**Rich Fitzgerald**  
**President of Council**

Attest:   
**John Mascio**  
**Chief Clerk of Council**

Chief Executive Office December 23, 2004

Approved:   
**Dan Onorato**  
**Chief Executive**

Attest:   
**Donna Beltz**  
**Executive's Secretary**