



Allegheny County Council

County of Allegheny
436 Grant Street
Pittsburgh, PA 15219
Phone (412) 350-6490
Fax (412) 350-6499

Legislation Details (With Text)

File #: 8126-14 **Version:** 1 **Name:**

Type: Ordinance **Status:** Expired by Rule

File created: 2/28/2014 **In control:** Chief Clerk

On agenda: 3/4/2014 **Final action:**

Title: An Ordinance amending and supplementing the Allegheny County Code of Ordinances, through the creation of a new Chapter 285 entitled "Electronic Mail Retention" for the purpose of establishing a County-wide policy for the schedule and retention of email records by County employees and officials.

Sponsors: Barbara Danko, William Robinson

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/3/2014	1	Committee on Government Reform	Held in Committee	
3/4/2014	1	County Council	Referred by Chair	

An Ordinance amending and supplementing the Allegheny County Code of Ordinances, through the creation of a new Chapter 285 entitled "Electronic Mail Retention" for the purpose of establishing a County-wide policy for the schedule and retention of email records by County employees and officials.

WHEREAS, members of the General Assembly have raised the issue of establishing a minimum email retention period of two years throughout state government; and

WHEREAS, the laws of the Commonwealth regarding record retention are not clear as to the length of retention for electronic messages created in the course of conducting government business; and

WHEREAS, in this "electronic age" in which a large portion of business is conducted electronically and electronic records, including emails, are subject to Right-To-Know requests and discovery in legal actions; and

WHEREAS, the County of Allegheny is subject to litigation and receives requests for information from the public pursuant to Pennsylvania's Right-To-Know law which may properly include electronic correspondence by elected officials or government employees; and

WHEREAS, it is in the best interest of the County to have a uniform policy governing email retention so that all officials and employees can understand their duties and to promote an open and consistent operation of County government; and

WHEREAS, it is therefore the desire of Council to follow the concern raised by state representatives regarding a lack of clarity regarding such a pervasive and important form of record and to create a policy which is reflective of open and consistent government on all levels;

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 Code.

The Allegheny County Code of Ordinances is amended and supplemented with the addition of a new Chapter 285 entitled “Electronic Mail Retention” as follows:

285. Electronic Mail Retention.

- A. All County employees and officials who create, send, or receive e-mail messages via the Allegheny County e-mail system must follow the Allegheny County policies regarding email retention and the Department of Computer Services in cooperation with all County departments must retain records of all emails for a period of two years.

Section 3. 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 4. 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.

PRIMARY SPONSOR: COUNCIL MEMBER DANKO

CO-SPONSORS: COUNCIL MEMBER(S) ROBINSON