



# Allegheny County Council

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## Legislation Details (With Text)

**File #:** 11987-21      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Enacted

**File created:** 8/27/2021      **In control:** Chief Clerk

**On agenda:** 8/31/2021      **Final action:** 9/14/2021

**Title:** An Ordinance of the Council of the County of Allegheny ratifying amendments that add new section §2106.06, "Mon Valley Air Pollution Episode," and revise §2105.50, "Open Burning," of the Allegheny County Health Department Rules and Regulations, Article XXI, "Air Pollution Control".

**Sponsors:** Chief Executive

**Indexes:**

**Code sections:**

**Attachments:** 1. 11987-21 Exhibit A.Article XXI.Mon Valley Air Pollution Episode Regulation.7.19.2021.docx, 2. 11987-21 Legislative Summary .docx, 3. 14-21-OR 11987-21.pdf

Date	Ver.	Action By	Action	Result
9/15/2021	1	Chief Executive	Signed by Chief Executive	
9/14/2021	1	County Council	Passed for Chief Executive Signature	Pass
9/8/2021	1	Committee on Health & Human Services	Affirmatively Recommended	Pass
8/31/2021	1	County Council	Referred by Chair	

An Ordinance of the Council of the County of Allegheny ratifying amendments that add new section §2106.06, "Mon Valley Air Pollution Episode," and revise §2105.50, "Open Burning," of the Allegheny County Health Department Rules and Regulations, Article XXI, "Air Pollution Control".

**Whereas**, Allegheny County, pursuant to the Pennsylvania Local Health Administration Law, 16 P.S. §§ 12001 - 12028, created the Allegheny County Health Department, and the Allegheny County Board of Health; and

**Whereas**, the Allegheny County Health Department regulates air quality under authority granted to it via the Pennsylvania Air Pollution Control Act, 35 P.S. §§ 4001 - 4106, and its implementing regulations; and

**Whereas**, Section 12011 of the Local Health Administration Law provides for the Board of Health to adopt regulations and submit such regulations to Allegheny County for approval or rejection; and

**Whereas**, on July 14, 2021 during its regularly scheduled public meeting, the Allegheny County Board of Health adopted by affirmative vote the attached amendments to Section 2106.06, "Mon Valley Air Pollution Episode," and §2105.50, "Open Burning," of the Allegheny County Health Department Rules and Regulations, Article XXI, "Air Pollution Control;" and

**Whereas**, it is the desire of Council to ratify the Allegheny County Health Department regulation amendments as approved by the Board of Health.

***The Council of the County of Allegheny hereby resolves 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.           Ratification of Regulations.***

Acting pursuant to the Pennsylvania Local Health Administration Law and the Allegheny County Home Rule Charter, County Council hereby ratifies the amendments to the Allegheny County Health Department Rules and Regulations, Article XXI, “Air Pollution Control”, attached hereto as Exhibit “A.”

***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.