



Allegheny County Council

County of Allegheny
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Legislation Text

File #: 7965-14, **Version:** 1

Title...

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 311, entitled "Official Actions of County Council," §5-311.04, entitled "Consideration," in order to clarify the applicability of the law of Allegheny County as it relates to the consideration of ordinances and resolutions by County Council.

Body...

WHEREAS, Allegheny County Council is designated as the legislative branch of the County's government pursuant to the terms of Article IV of the Home Rule Charter of Allegheny County; and

WHEREAS, pursuant to its power and duty to enact an Administrative Code to govern the operations of the County, established within Article IV, §6 of the Home Rule Charter, Council enacted Article 311 of the Administrative Code in 2000; and

WHEREAS, amongst the provisions of Article 311 is §5-311.04.B., which requires that "County Council shall act on all Ordinances and Resolutions in either the affirmative or negative within 90 days of submittal unless otherwise provided in the Charter or this Administrative Code, or unless tabled by a 2/3 majority of the seated Members of Council;" and

WHEREAS, the Council has systematically ignored the statutory requirement that final votes take place within 90 days of introduction of ordinances and resolutions, insofar as 28 ordinances and 14 resolutions were left in committee for over 90 days without ever receiving final votes at the conclusion of 2013, with several more sitting in committee for longer than 90 days before they eventually did receive final votes in 2012 or 2013; and

WHEREAS, §5-311.04.B. as currently written does not contain any sanction for violating the 90 day rule, nor does it establish a mechanism to ensure compliance,

WHEREAS, it is therefore the judgment of Council that §5-311.04 should be amended in order to establish a mechanism for compliance with the 90 day rule;

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

Section 1. Incorporation of the Preamble.

The provisions set forth in the preamble to this Ordinance are incorporated by reference in their entirety herein.

Section 2. Amendment of the Administrative Code.

The Administrative Code of Allegheny County, Article 311, entitled “Official Actions of County Council,” §5-311.04, entitled “Consideration,” is hereby amended as follows:

§5-311.04. Consideration.

- A. No ordinance or resolution shall be voted on until it has been read by title and summary at two County Council meetings separated by at least seven days and the public has been given the opportunity to comment on the ordinance or resolution.
- B. County Council may act on a proposed ordinance or resolution at the same meeting as the second reading. Except for ordinances levying taxes, the requirement of a second reading may be waived by an affirmative vote of at least 2/3 of the seated members. County Council shall act on all Ordinances and Resolutions in either the affirmative or negative within 90 days of submittal unless otherwise provided in the Charter or this Administrative Code, or unless tabled by a 2/3 majority of the seated members of Council. For any bill which remains within the jurisdiction of any committee 75 days after its date of introduction, that bill shall be deemed released by such committee with a neutral recommendation, and the Clerk shall place the bill on the agenda as unfinished business for the next regular meeting of Council and provide written notice of the status of the bill to all members of Council.

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 ROBINSON

CO-SPONSORS: