



Allegheny County Council

County of Allegheny
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Legislation Text

File #: 12561-23, **Version:** 1

An Ordinance directing that a referendum question regarding the amendment of the Home Rule Charter of Allegheny County - in order to amend Article III, §6(a), an existing provision relating to seeking multiple County elected offices simultaneously - be placed on the November 7, 2023 General Election ballot.

WHEREAS, as currently drafted, the Home Rule Charter of Allegheny County already prohibits the Chief Executive from running for multiple County offices on the same ballot: “[t]he Chief Executive shall not be a candidate for nomination or election to more than one County office at the same time,” at Article III. §6(a); and

WHEREAS, the Charter also currently forbids Council Members and the Chief Executive from holding any other elected political office while serving in those capacities, at Article III, §6(b); and

WHEREAS, the Charter does not, however, contain any provision governing any other scenario in which an individual might seek multiple County offices simultaneously; and

WHEREAS, recent events in the Pennsylvania General Assembly highlight the potential dangers of vacancies in elected office occasioned by members winning election to multiple offices simultaneously, then opting to refuse one seat; and

WHEREAS, in the judgment of Council, the practice of seeking multiple elected County offices simultaneously also has significant potential to at least temporarily disenfranchise County residents, until a special election can be held to fill the seat(s) that a successful candidate opts against accepting; and

WHEREAS, it is further the judgment of Council that the Chief Executive should not be singled out for the prohibition currently contained within Article III, §6(a); and

WHEREAS, it is therefore the desire of Council to establish a clear rule against any individual seeking election to multiple County elected offices simultaneously.

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

SECTION 1. Incorporation of the Preamble.

The preamble to this Ordinance is hereby incorporated in its entirety herein.

SECTION 2. Ballot Question.

Pursuant to the Second Class County Charter Law and the Home Rule Charter and Optional Plans Law, the Allegheny County Board of Elections is hereby directed to place the following question on the November 7, 2023 General Election Ballot for consideration and approval by the registered electors of the County:

Shall the Home Rule Charter of Allegheny County, Article III, §6(a) be amended to provide that “No individual may be a candidate for nomination or election to more than one County office at the same time”?

SECTION 3. Effective Date.

The provisions of this Ordinance shall become effective immediately upon final approval.

SECTION 4. 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 5. 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.*