# FINAL REPORT AND PROPOSED HOME RULE CHARTER

Allegheny County, Pennsylvania

March 15, 1974

Allegheny County Government Study Commission 406 Jones Building Annex 311 Ross St.

Pittsburgh, Pa. 15219

Telephone: 355-5893, 355-5894

#### FINAL REPORT

OF THE

# ALLEGHENY COUNTY GOVERNMENT STUDY COMMISSION

ITS FINDINGS AND RECOMMENDATIONS,

FISCAL REPORT

AND

PROPOSED HOME RULE CHARTER

FOR

ALLEGHENY COUNTY

# Government Study Commission Allegheny County, Pennsylvania

Room 406, Jones Building Annex, 311 Ross Street, Pittsburgh, Pennsylvania 15219
Telephone: 355-5893, 355-5894

Executive Director Agnes R, Tuden

Commissioners:

Joseph A. James, Chairperson 5520 Fifth Avenue, Apt. 9C Pittsburgh, Pennsylvania 15232 Phone: 681-1409

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William E. Miller 1010 Premier Street Pittsburgh, Pennsylvania 15201 Phone: 782-2134

Robert N. Peirce, Jr. Clerk of Courts, Allegheny County 115 Court House Pittsburgh, Pennsylvania 15219 Phone: 355-5322 TO THE CITIZENS OF ALLEGHENY COUNTY:

The following question will be placed on the ballot May 21, 1974, for your approval:

"Shall the Home Rule Charter contained in the report, dated March 15, 1974, of the Government Study Commission, prepared in accordance with the Home Rule Charter and Optional Plans Law, be adopted by the COUNTY OF ALLEGHENY?"

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# GOVERNMENT STUDY COMMISSION COUNTY OF ALLEGHENY

Elected November 7, 1972

#### ELECTED MEMBERS

Joseph A. James, Chairperson

Joseph R. Babish, Vice Chairperson

JoAnn Evans Gardner, Ph.D.

Robert E. Kennedy

John L. McManus

William E. Miller

Robert N. Peirce, Jr.

#### STAFF

Agnes R. Tuden, Executive Director Victor J. Papale, Assistant Executive Director Marilyn R. Osbourne, Assistant Executive Director Barbara S. Leary, Administrative Assistant

#### VOLUNTEER STAFF

Arnold M. Horovitz, Esquire Kenneth M. Simon

#### FINDINGS AND RECOMMENDATIONS

#### ORGANIZATION OF THE STUDY COMMISSION

The question to create a Government Study Commission for Allegheny County was placed on the November, 1972 ballot by unanimous action of the County Commissioners. At this election, the voters approved the formation of a Government Study Commission for Allegheny County by a majority of 2 to 1, and elected seven people on a non-partisan basis to serve on the Study Commission. The Study Commission members were sworn in on November 30, 1972.

#### THE CHARGE TO THE COMMISSION

Act 62, "The Home Rule Charter and Optional Plans Law" states: It shall be the function and duty of the Government Study Commission to:

- Study the form of government of the county;
- Compare it with other available forms under the laws of the State;
- Determine whether or not, in its judgment, the government of the county can be strengthened, made more clearly responsible or accountable to the people;
- Determine whether its operation could become more economical or efficient under a changed form of government.

#### THE STUDY PROCESS

In order to study the present form of county government, the Study Commission met with 65 officials, departments, agencies, bureaus, boards, authorities, committees and commissions of Allegheny County's government. In addition, in May and June the Study Commission held eleven public hearings

throughout the county and many interested citizens and groups presented testimony.

The Study Commission then entered the comparative phase of its work. A detailed analysis of a number of urban counties with populations and other characteristics similar to Allegheny County was made. Commission members went to four of these counties for personal consultation with county officials.

The final phase of the Study Commission's work was to debate and decide the many issues involved in the drafting of a Home Rule Charter for Allegheny County.

Each Charter provision was thoroughly discussed, and received approval by a majority vote of the Study Commission before being included in the Charter.

The preliminary draft of the Home Rule Charter was released in February, 1974 and nine more public hearings were held to receive comments, criticisms and suggestions on the Charter.

The Charter was completed after fifteen months and more than 350 hours of public sessions.

#### BRIEF EXPLANATION OF ACT 62

The Pennsylvania Constitution as amended in 1968 gave counties in Pennsylvania the right to study their local governments and to adopt Home Rule. Prior to that time, only the City and County of Philadelphia had been granted that right. The Pennsylvania General Assembly implemented this part of the Constitution in 1972 by passing Act 62, "The Home Rule Charter and Optional Plans Law".

Act 62 is an historic piece of legislation. This new law actually reverses the traditional relationship between the Commonwealth of Pennsylvania and counties choosing to exercise the authority granted them to adopt Home Rule.

Historically in Pennsylvania, counties can do only those things which the General Assembly specifically authorizes them to do. For Allegheny County these authorizations are primarily provided for in the Second Class County Code.

Home Rule places the primary responsibility for local decision-making in the hands of the people and their locally elected officials, rather than in the hands of the legislature in Harrisburg. It gives authority to a county to prepare, adopt and be governed by its own constitution, called a Home Rule Charter. If Allegheny County adopts the proposed Home Rule Charter, this Charter will replace the Second Class County Code as the basic law of the county.

Home Rule under Act 62 does not mean that Allegheny
County is free to act independently in every area of county
government. Act 62 limits the ties which a Home Rule Charter
can sever and places specific restrictions on Home Rule counties.
Among other things, Home Rule counties

Cannot: affect the form, structure of powers of any city, borough or township;

Cannot: invent new taxes;

Cannot: regulate public schools;

Cannot: reduce the pension and retirement benefits of any present or former county employee;

Cannot: change the Election Code.

Under Act 62, Allegheny County will still be subject to the Election Code, the Local Government Unit Debt Act, the Local Health Administration Law, the Public Employees' Law, the Crimes Code and other state laws which are uniform and applicable throughout the Commonwealth.

#### CHARACTERISTICS OF ALLEGHENY COUNTY

Allegheny County is a large urban county, the center of the seven-county metropolitan area of southwestern Pennsylvania. With a population of 1,605,000 Allegheny County is Pennsylvania's second largest county. It is an area of great diversity, both geographically and in its people. There are large commercial and business centers, industrial areas, older suburbs and rapidly growing new suburbs, as well as rural and farming areas. With its 129 separate municipalities, there is a strong tradition of municipal independence and sturdy self-government, which is preserved by this Charter.

#### THE PRESENT SYSTEM OF COUNTY GOVERNMENT

Allegheny County is governed by a three member Board of County Commissioners. The County Commissioner and Row Officer system was established in Pennsylvania in pre-Revolutionary War days. Counties were then rural communities and were established to exercise a few limited functions.

The Row Officers were concerned with the keeping of court records (Prothonotary, Clerk of Courts, Register of Wills); with the enforcement of law and order (Sheriff, District Attorney, and Coroner); with the surveying of land (Surveyor); with the

recording of land titles (Recorder of Deeds); with selecting jurors for the courts (Jury Commissioners); and with the collection of and the accounting for monies (Treasurer and Controller).

The three County Commissioners had responsibility in the area of elections, road maintenance, property assessment and the care of prisoners and the poor. They were administrators of programs and policies designed and mandated by the State.

Over the past two centuries, this structure of government has been practically unchanged. (The office of Surveyor was eliminated in 1968). Some additional functions have been assigned to County Commissioners over the years; they sit as boards like the Institution District and the Board of Elections, and appoint members of other boards, authorities and commissions.

In addition, although the Commissioners are not directly responsible for the operation of the independent Row Offices and the Court, they are responsible for setting the overall fiscal policies of the county and for determining the priorities of operating and capital budgets for these agencies.

Thus the County Commissioners already had a variety of roles to fill when, after World War II, the responsibilities of county government began to increase rapidly. In 1950, for example, there were 54 agencies in Allegheny County's government; in 1973 there were 92.

#### THE CHANGING ROLE OF COUNTY GOVERNMENT

Since 1950, and particularly in the last decade, functions of county government have changed radically. Allegheny County's government is providing an ever-growing number of

functions and services to its citizens. The State requires that counties provide some of these new programs, but more often, the State gives Allegheny County permission to offer new services if it sees a need to.

Allegheny County has been quick to take advantage of these opportunities and now provides such services as airport facilities, solid waste disposal, health, community colleges, police training and model cities programs, to name a few.

In summary, in response to pressure for increased services, Allegheny County is now required to provide an everincreasing and diversified array of programs, and the Board of County Commissioners has assumed greater and greater legislative responsibility.

#### SEPARATION OF POWERS

Because the county commission form places the three major functions of government—executive, legislative and administrative—in one three member body, a system of "checks and balances", a traditional feature of government in America, is not possible.

A study of the current budget process provides a good example. The County Commissioners prepare the budget as executives, then move to the other side of the table to approve the budget as legislators, and finally as administrators, they spend it.

There are other areas of Allegheny County's government where the development of checks and balances is not now possible.

The Board of Property Assessment, Appeals and Review is responsible both for making assessments and for hearing appeals against the assessments they themselves have made.

The Controller pre-audits county expenditures to ensure that no improper or illegal expenditure occurs, and then post-audits the same expenditures. There is little incentive for the Controller as post-auditor, to publicize errors which might have been made by the Controller as pre-auditor.

#### THE ADMINISTRATIVE BURDEN

The administrative burden of serving as executives, legislators and administrators is particularly heavy because about 70 of the county's agencies report directly to, or are appointed by the County Commissioners.

The centralization of administrative control is made difficult because of the number of offices headed by independently elected officials, whose duties are prescribed by state law. For example:

- The elected Treasurer and Controller, and the appointed Directors of the Department of Planning and Development, Administration and Accounts and Statistics, all play a role in the fiscal adminis
  - tration of the county;

    State law mandates that the responsibility for maintaining land and related tax records be spread among four agencies: The Offices of the Recorder
    - among four agencies: The Offices of the Recorder of Deeds and Controller, the Bureau of Deed Registry and the Board of Property Assessment, Appeals and Review;
- Although the courts of the county have been combined into one Court of Common Pleas, there are still three separately elected court clerks—the Prothonotary, the Clerk of Courts and the Register of Wills (who also has the title, Clerk of Orphans' Court). This means that the 10,000 notaries public in the county must file with three different clerks in three different offices in three different buildings.

The county personnel system is fragmented. The Court of Common Pleas and each of the ten Row Offices has its own personnel system. Under the Board of County Commissioners there are three other systems—civil service, a merit system and a third (by far the largest), the patronage system. Without state legislation or a Home Rule Charter it would not be possible for the county to consolidate these systems or permanently change the way employees are hired, promoted and discharged.

#### SURVEY OF OTHER COUNTIES

A survey of the form of government of the ten most populated urban counties in the United States that have charters, indicate that none have chosen to retain the plural county commissioner system. All of these counties have chosen to have separate administrative or executive officers and separate legislative bodies, each with distinct duties and responsibilities.

#### SUMMARY OF FINDINGS

The Study Commission found that the present commission form of government does not build in a process of independent evaluation or criticism of how programs or policies are formulated and carried out. Because the county commissioner system was not designed with a legislative or deliberative function in mind, the system does not anticipate th need for public dialogue on public policy; yet the County Commissioners are assuming greater and greater legislative responsibility.

The centralization of administrative matters is made more difficult by the large number of agencies reporting directly to the County Commissioners, and the number of independently elected officials and semi-autonomous agencies over which the County Commissioners have varying amounts of jurisdiction.

There is no single elected executive who is directly responsible for the management of county affairs.

#### RECOMMENDATIONS

#### HOME RULE

The decision of the Allegheny County Government Study
Commission was that Allegheny County needed Home Rule. With
Home Rule there is:

- Greater flexibility to respond to local needs without waiting for permission from the General Assembly;
- Greater freedom to design a form of county government which can permit modernization of the current system of county government;
- Greater opportunity for developing built-in safeguards and provisions for increased responsiveness of elected officials to the citizens of Allegheny County.

#### THE BOARD OF COUNTY REPRESENTATIVES

In selecting the form of government which would best suit the needs of Allegheny County now and in the future, the Study Commission concluded that Allegheny County needs a legislative body of its own.

With Home Rule, Allegheny County's officials can make decisions locally which were formerly made for us in Harrisburg. And these decisions can be made when they are needed, instead of waiting for the State Legislature to act, if it acts at all.

This full time legislative body will guarantee representation to every section of the county, so that the concern of the citizens and the priorities of the different areas of the county can be presented, deliberated and acted upon.

#### THE COUNTY EXECUTIVE

The Study Commission concluded that an executive, directly elected by all the voters, would best serve the interests of the citizens of Allegheny County.

The County Executive, elected directly by all of the voters, will have the power to act for the citizens when dealing with outside officials, will be accountable to the citizens for the day to day operations of county government and will be directly accountable to the public for the success or failure of all county programs.

#### CHECKS AND BALANCES

A system of checks and balances, a traditional safeguard of American government, is possible with two separate branches of government. The Study Commission carefully set up checks and balances in the Charter. Some of these are common to many governments, but others are new and reflect the concern of the Study Commission that one branch of government not be able to delay the orderly process of government as a whole:

- Ordinances proposed by the Board of County Representatives can be vetoed by the County Executive, but this veto can be over-ridden by a vote of five Representatives. The County Executive has an "item veto" on appropriation ordinances;
- The Board of County Representatives is authorized to employ a professional staff so they can thoroughly analyze legislative proposals. The staff size is limited, and a similar limitation is placed on the size of the staff of the County Executive;
- Legislative proposals of the County Executive must be publicly deliberated by the Board of County Representative is they are to become law;

- Appointments by the County Executive of departmental directors are subject to confirmation by the Board of County Representatives. But if the Representatives fail to act within a reasonable time, the appointment is automatically confirmed;
- The Board of County Representatives and the public are given ample time to evaluate the annual operating and capital budgets as proposed by the County Executive. But if the Representatives fail to adopt a budget before the end of the fiscal year, the proposed budget goes into effect so that essential county programs can continue;
- The County Executive may propose changes in departmental organization to the Board of County Representatives in order to meet changing needs, but these proposals cannot be delayed by the Representatives' inaction.

Other areas of checks and balances are provided in the Charter:

- The Controller will check the legality and effectiveness of county expenditures, but an outside auditor who reports to the Board of County Representatives will perform an independent post-audit;
- The responsibility for supervising the assessment of real property is removed from the new Board of Assessment Appeals, so that those who perform the assessment do not sit in judgment on their own decisions.

#### CITIZEN PARTICIPATION

An important feature in the successful operation of a checks and balances system is the opportunity for citizen participation in the governmental process. The Charter provides many such opportunities:

- Public hearings on all ordinances are required, with additional hearings on the capital and annual operating budgets;
- All meetings of the Board of County Representatives are open to the public, with a few narrow exceptions;
- Proposed budgets, audit reports and ordinances must be available to the public;

- A procedure for initiative and referendum has been included in the Charter;
- Public notification of board vacancies is required, so that interested groups and individuals can suggest persons to be nominated;
- The Board of County Representatives will hold an evening meeting in each of the Representatives' districts, so that citizens can more easily attend.

#### INTERGOVERNMENTAL RELATIONS

The powers, duties and responsibilities of the cities, boroughs, and townships within Allegheny County are protected by this Charter. The county is specifically authorized to continue to enter into voluntary agreements and to cooperate with municipalities, regional planning commissions and councils of governments.

#### A SIMPLER STRUCTURE OF ADMINISTRATION

The number of county units reporting directly to the County Commissioners has been cut in half. The functions of the Coroner, Jury Commissioners, Recorder of Deeds and Treasurer are incorporated into these new departments.

All current county functions and programs will continue but many agencies performing similar or related functions are consolidated.

- Fiscal functions such as collection of taxes, assessment, deposit, investment and disbursement of funds are centered in the Department of Finance.
- The registration of land titles and recording of deeds, tax liens and real estate assessments are consolidated into a Department of Records Management.
- The many county programs dealing with human services: Mental Health/Mental Retardation, Kane Hospital, services for senior citizens and for children are brought together in a new Department of Human Services.

- The Study Commission was legally prohibited from abolishing, changing or consolidating existing authorities. The Charter does, however, restrict the creation of new authorities and requires an extraordinary vote of the Board of County Representatives to guarantee authority indebtedness.
- To attract and retain the most competent personnel, the Charter establishes a single personnel system based on merit and career principles and also includes a strong anti-discrimination clause. Present county employees automatically enter this career service and are protected by it from arbitrary dismissal.

#### ROW OFFICERS

The number of Row Officers is reduced from 11 to 4.  $\label{eq:controller}$  CONTROLLER

The Controller will continue to be the fiscal "watchdog" of the county; will prepare the official debt statement of the county: will make a performance audit of each county agency to determine the effectiveness and efficiency of county spending. All audits will be made available to the public.

The new office of Court Registrar will perform the court record-keeping functions formerly exercised by the Prothonotary, the Clerk of Courts, and the Register of Wills, Clerk of Orphans' Court. The Court Registrar shall prepare comprehensive reports detailing all cases pending before and disposed of by the Court of Common Pleas.

#### DISTRICT ATTORNEY

The District Attorney will continue as the chief prosecuting officer of the county.

#### SHERIFF

The Sheriff retains present peace-keeping functions and

when requested, may respond to requests for assistance from local, county or state governments. The Sheriff will continue to serve court papers and to maintain security in the courts and in the prison.

#### WHAT HOME RULE WOULD MEAN

The people of Allegheny County have always been governed from a distance; First by the King of England then by the General Assembly in Harrisburg.

Under a Home Rule Charter, the people of Allegheny County will have local self-government for the first time.

Before me, the undersigned authority, personally appeared the persons whose names are affixed hereto, who being duly sworn or affirmed, according to law, depose and say that the facts set forth in the

annexed financial report are true and correct.

Robert E. Kennede.

John L Me Monns

> JESSIE L. HEWLETT, NOTARY PUBLIC PENN HILLS TWP., ALLEGHENY COUNTY AY COMMISSION EXPIRES MAR. 20, 1975 Mamber, Pennsylvania Association of Notaries

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#### FINANCIAL STATEMENT

#### THE ALLEGHENY COUNTY GOVERNMENT STUDY COMMISSION

The financial statement presented below is a summary of the actual expenses and in-kind services incurred by the Allegheny County Government Study Commission during the period from November 30, 1972, through March 15, 1974.

With the exception of the in-kind services mentioned in items 3 and 4, all funds, goods, materials and services used by the Study Commission were provided by Allegheny County.

All bills and charges of any kind were paid for by Allegheny County in accordance with the County's regular fiscal procedures.

#### LIST OF EXPENDITURES

#### PERSONNEL

Regular Staff Solicitor Secretarial Assistance	\$37,865.44 4,500.00 267.50
COMMISSIONERS' AND STAFF EXPENSES	223.90
COMMISSIONERS! AND STAFF TRAVEL	2,325.28
POSTAGE	2,216.13
SUPPLIES AND PRINTING	7,972.86
RESEARCH AND STUDY MATERIALS	102.21
EQUIPMENT (LEASE AND PURCHASE)	2,453.41
TELEPHONE	1,555.27
MISCELLANEOUS	44.68
	\$ <b>59,526.</b> 68
Less: CREDIT IN POSTAL ACCOUNT	222.76
	\$59,303.92

#### IN - KIND SERVICES RENDERED

The County of Allegheny also provided the services listed in items 1 and 2. There is no way to estimate the value of these services, and they are therefore not carried in the above list of expenditures:

- Office space and office furniture; graphic and duplicating services; clerical assistance; meeting facilities; and other administrative services.
- 2) In addition, in the early stages of the Study Commission's work, Allegheny County provided legal counsel and assistance.
- 3) Meeting facilities for public hearings were donated by:
  Borough of Sewickley
  City of McKeesport
  Township of Harrison
  Township of McCandlass
  Township of Mt. Lebanon
  Monroeville Mall
  Northway Mall
  Carlynton School District
  University of Pittsburgh
- 4) Special research reports were submitted to the Government Study Commission by: Pennsylvania Economy League, Western Division Nina Helbling Joseph Kane

This statement does not include the cost of printing and distributing copies of the Final Report to the public, which will be incurred after the filing of this Report. A proposal for this service has been received from the Pittsburgh Press Company, at a cost not to exceed \$16,963.70.

## ARTICLE I

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NAME, BOUNDARIES AND POWE	RS
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3	NAME, BOUNDARIES AND POWERS
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5	Section 101. NAME AND BOUNDARIES. Allegheny County, Pennsyl-
6	vania, shall hereafter be a Home Rule Charter County. It
7	shall continue to be a body corporate and politic. Its cor-
8	porate seal, boundaries and county seat shall be and remain as
9	they are at the time this Charter takes effect, unless other-
10	wise changed in accordance with law.
11	Section 102. POWERS. The County of Allegheny has, and may
12	exercise, any power and perform any function not denied by the
13	Constitution of the United States, the Constitution of Pennsyl-
14	vania, this Charter or the General Assembly at any time.
15	The county shall have and may exercise all powers and authority
16	of local self-government. The powers of the county under this
17	Charter shall be construed broadly in favor of the county,
18	and the specific mention of particular powers in this
19	Charter shall not be construed as limiting in any way the

general power of the county.

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#### ARTICLE II

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#### THE BOARD OF COUNTY REPRESENTATIVES

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- Section 201. COMPOSITION. The county legislature shall consist of an elected governing body, the Board of County Representatives. One member shall be elected from each of seven districts, each district to be composed of compact and contiguous territory as nearly equal in population as
- 10 practicable.
- Section 202. POWERS AND DUTIES. The legislative
- power of the county, including residual powers and
- any powers now conferred or which may hereafter be
- conferred on the county by amendment of the Pennsylvania
- 15 Constitution or by laws of the Commonwealth of Pennsyl-
- vania, shall be exclusively vested in and exercised
- by the Board of County Representatives, subject only
- to the provisions of this Charter. The Board of County
- Representatives shall be elected, shall organize and
- 20 shall function as provided in this Charter.
- The Board of County Representatives shall have,
- but shall not be limited to the following powers and
- 23 duties:
- 24 a. To make appropriations, levy taxes, borrow money,
- adopt the budget and establish fees;
- b. To adopt, amend and repeal an Administrative Code;
- 27 c. To approve by ordinance the acceptance of all gifts
- and grants, from any source, on behalf of the county;

- d. To require periodic and special reports from elected officials:
- e. To create authorities by a vote of five (5) members.
- Section 203. ORGANIZATION. The Board of County Representa-
- 5 tives shall determine its rules of procedure and shall elect
- a presiding officer from among its members. This officer
- shall prepare the agenda, preside at meetings and shall
- b have the same rights, privileges and limitations as other
- 9 members of the Board of County Representatives.
- Section 204. QUORUM AND MAJORITY ACTION. Except as other-
- wise provided in this section, the presence of four (4)
- members of the Board of County Representatives shall
- constitute a quorum, but a smaller number present at any
- meeting may adjourn from day to day and may compel the
- attendance of absent members in such manner and under
- such penalties as the Board of County Representatives
- may, by ordinance, provide.
- No business shall be conducted or vote taken except
- in the presence of a quorum.
- Except as otherwise provided in this Charter, no action
- of the Board of County Representatives shall be binding
- except upon four (4) affirmative votes; provided that
- 23 if the number of Representatives in office is reduced
- 24 to five (5) or less, action may be taken by majority
- vote of the Representatives in office.
- 26 Except when abstentions are mandated by this Charter,
- a vote of abstention shall be counted as a "no" vote.

- Section 205. MEETINGS. For the purpose of transacting
- public business, the Board of County Representatives
- shall hold not less than forty-eight (48) regular weekly
- 4 meetings in each calendar year. No more than fourteen (14)
- 5 days may intervene between these meetings, and at least
- one (1) meeting in each calendar year shall be held in
- the evening in each of the districts from which the
- 8 Representatives are elected.
- 9 Agenda of regular meetings shall be made available
- to the public at least forty-eight (48) hours prior to
- any meeting, but the agenda may be amended when necessary.
- 12 All meetings and deliberations of the Board of
- County Representatives shall be open to the public,
- except that the Representatives may discuss, in ex-
- ecutive session, matters pertaining to individually
- named employees, matters of land acquisition, collective
- bargaining agreements and the investigation and settle-
- ment of suits and claims.
- Section 206. ENACTMENT OF LEGISLATION. Acts of policy,
- and acts which provide for raising revenue, appropriating
- 21 funds or borrowing money, and acts which provide a penalty
- or establish a rule or regulation for the violation of
- which a penalty is imposed, shall be by ordinance.
- 24 Routine and ministerial actions may be taken by resolu-
- 25 tion or motion.
- A proposed ordinance may be introduced by any Rep-
- 27 resentative or by the Board of County Representatives

- as a whole. Each proposed ordinance shall be submitted
- 2 in writing, shall be limited to one subject which shall
- 3 appear in the title and shall contain notice of the
- 4 effective date of the legislation. A proposed ordinance
- 5 may incorporate by reference all or part of technical
- 6 codes and acts of the General Assembly.
- 7 No proposed ordinance shall be adopted without a
- 8 public hearing after public notice. No proposed ordin-
- ance shall proceed to a public hearing except after
- written request entered by two (2) Representatives.
- When such a request is entered, the public hearing
- shall be held not less than ten (10) nor more than
- ninety (90) days thereafter. Public notice of the date
- and subject matter of the hearing shall be given at
- least seven (7) days prior to the scheduled hearing.
- After a public hearing, a proposed ordinance may
- be finally enacted with or without amendment, except
- that if an amendment constitutes a change in substance,
- the proposed ordinance shall not be enacted until it is
- 20 reproduced as amended and proceedings held as if it were
- 21 a newly introduced ordinance.
- 22 All final actions in adopting ordinances, resolutions
- or motions shall be by roll call vote, and the vote of each
- Representative shall be recorded in the minutes of the
- 25 meeting.
- 26 Public notice, reciting the title and giving the
- effective date of each ordinance, shall be given not more
- than ten (10) days after adoption of the ordinance.

1 Section 207. STAFF. The Board of County Representatives may 2 appoint technical and professional staff. The total annual 3 compensation paid this staff shall not exceed the total annual compensation paid the Board of County Representa-4 tives, except as provided by ordinance adopted by a vote 5 of five (5) members of the Board of County Representatives. 6 CONFIRMATION OF OFFICERS. The appointment Section 208. by the County Executive of officers shall be subject to 8 9 confirmation by the Board of County Representatives. 10 Board of County Representatives shall hold a public hearing not less than ten (10) days nor more than twenty (20) 11 days after the nomination by the County Executive. If the 12 13 Board of County Representatives fails to confirm or reject such nomination within thirty (30) days after 1-1 15 submission, the nominee shall stand confirmed. RIGHT OF COUNTY OFFICERS TO SPEAK. 16 Section 209. Elected 17 officials, officers and heads of all boards shall have the right to present their views to the Board of County 18 Representatives on any matters relating to their respective 19 administrative units. 20

1	ARTICLE III
2	
3	THE EXECUTIVE
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5	Section 301. COMPOSITION. There is hereby created the
6	elected office of County Executive. The County Executive
7	shall function as the chief executive and administrative
8	officer of the county and shall exercise those powers
9	and perform those duties required by this Charter or by
10	ordinance.
11	Section 302. POWERS AND DUTIES. The County Executive
12	shall exercise the executive power of the county and
13	shall be responsible for the good order and efficient
14	administration of those county affairs which are placed
15	in the charge or jurisdiction of the County Executive
16	by this Charter or by ordinance. The County Executive
17	shall have the following powers, duties and responsibilities
18	a. To execute and enforce the provisions of this
19	Charter, the laws of the Commonwealth pertaining to
20	the government of the county and the ordinances of the
21	Board of County Representatives;
22	b. To supervise all county departments, as provided
23	in Article V;
24	c. To prepare and submit to the Board of County
25	Representatives the annual operating budget, the capital
26	improvements plan, the capital budget, the projected
27	operating budget and the budget message, as provided in
28	Article VII;

- d. To recommend measures for legislative action to
- the Board of County Representatives;
- 3 e. To provide any information concerning the executive
- 4 branch of county government which the Board of County
- 5 Representatives may require for the performance of its
- 6 duties:
- 7 f. To appoint the directors of all departments in the
- 8 executive branch;
- 9 g. To sign or cause to be signed on behalf of the
- county, all contracts, agreements and other instruments;
- h. To submit reports as provided in this Charter, or
- as the Board of County Representatives may, by ordinance,
- 13 require;
- i. To exercise such other powers and to perform such
- other duties as are consistent with the provisions of
- this Charter, as the Board of County Representatives
- shall from time to time ordain;
- j. To call special meetings of the Board of County
- Representatives upon written notice sent to each member,
- said notice to contain the time, place and purpose of the
- 21 special meeting.
- 22 Section 303. STAFF. The County Executive may appoint
- 23 technical and professional staff. The total annual com-
- 24 pensation paid this staff shall not exceed the total annual
- compensation paid the Board of County Representatives,
- except as provided by ordinance adopted by a vote of five (5)
- 27 members of the Board of County Representatives.

- 1 Section 304. EXECUTIVE VETO. Every proposed ordinance adopted by the Board of County Representatives shall, 2 within three (3) days of passage, be presented to the 3 County Executive for approval. If the County Executive 4 5 approves, the County Executive shall sign it; but, if not approved, it shall be returned with written reasons 6 for disapproval to the Board of County Representatives 7 within ten (10) days after the meeting at which such 8 ordinance was passed. The Board of County Representatives 9 10 shall proceed to a reconsideration thereof at a meeting held within ten (10) days after the return of the proposed 11 ordinance. 12
- If after reconsideration, five (5) members of the
  Board of County Representatives shall vote to pass such
  proposed ordinance, it shall become effective and shall
  be enforced as if it had received the approval of the
  County Executive.

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- If any such proposed ordinance shall not be returned to the Board of County Representatives by the County Executive with written reason for disapproval, it shall likewise become effective and shall be enforced as if it had been approved.
- The County Executive may veto individual items in the budget and appropriation ordinances. Each item or items not vetoed shall become ordained, and each item or items vetoed shall be subject to the same procedure as any other proposed ordinance vetoed by the County Executive.

Section 305. ADVISORY BOARD ON AUTHORITIES. The County
Executive shall appoint an Advisory Board to study and
to recommend ways and means of absorbing existing Authorities into county government. The Board shall deliver a
public report to the County Executive and to the Board of
County Representatives not later than two (2) years
following its organization.

- 10 -

1	ARTICLE IV
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3	CHARTER OFFICIALS
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5	Section 401. CHARTER OFFICIALS. The following officials
6	of the County of Allegheny shall be elected as provided
7	in Article X: The Controller; the Court Registrar; the
8	District Attorney and the Sheriff.
9	Section 402. POWERS AND DUTIES. Each official shall
10	supervise and control the Office, subject to the provi-
11	sions of Section 507, 508, 524 and 525 of this Charter.
12	Each official shall appoint a deputy, as provided in
13	Article X, and other personnel subject to the provisions
14	of Article VIII and the budget ordinance.
15	Each official shall exercise those powers and perform
16	those duties necessary for the proper function of the
17	Office and an additional duty shall be to prepare for in-
18	clusion in the Administrative Code an article which sets
19	forth the powers and the procedures to be used in the
20	performance of these duties.
21	THE CONTROLLER
22	Section 403. THE OFFICE OF AUDITS AND CONTROL. There
23	shall be an Office of Audits and Control, directed by
24	the Controller.
25	Section 404. POWERS AND DUTIES. Except as otherwise provided
26	in this Charter, the Controller shall exercise those powers
97	and norform those duties required by this Charter or by

- ordinance. The Controller shall:
- 2 a. Pre-audit and record, using generally accepted
- 3 principles of accounting and auditing, fiscal transactions
- 4 of all county agencies receiving, disbursing or authorizing
- 5 the disbursement of county funds, and report, at least
- 6 monthly, to the Board of County Representatives, all
- 7 proposed fiscal transactions which have not met pre-audit
- 8 requirements, and the reasons therefor;
- 9 b. Conduct special post-audits of accounts which the
- 10 Controller has not pre-audited, upon the request of
- the County Executive, the Board of County Representatives,
- or upon the initiative of the Controller;
- c. Recommend for adoption by ordinance, a uniform
- accounting system for all county agencies and authorities;
- 15 d. Prepare and certify the statements of indebtedness
- of the county;
- e. Appoint a solicitor.
- 18 Section 405. PERFORMANCE AUDITS. The Controller shall
- 19 conduct performance audits of all county agencies and
- authorities and of those associations and corporations,
- 21 public and private, which receive county funds to provide
- 22 a service or services which the county could perform
- 23 itself, whenever the Controller deems it necessary or is
- 24 directed to conduct such audits by the County Executive or
- by the Board of County Representatives. In any event,
- the Controller shall conduct the performance audits of
- county agencies at least once every four (4) years.

- Upon completion of each performance audit, the
- 2 Controller shall report and make recommendations to the
- 3 County Executive and to the Board of county Representatives
- on ways to improve the efficiency or effectiveness of the
- 5 program, service or agency audited.
- The performance audit function of the Controller
- shall not abridge the power of the Board of County Repre-
- 8 sentatives to conduct performance audits.
- 9 COURT REGISTRAR
- Section 406. OFFICE OF THE COURT REGISTRAR. There
- shall be an Office of the Court Registrar.
- 12 Section 407. POWERS AND DUTIES. Except as otherwise
- provided in this Charter, the Court Registrar shall have
- all the powers granted to clerks of court, prothonotaries,
- and registers of wills, clerks of orphans' court by
- applicable law, by this Charter or by ordinance.
- The Court Registrar shall publish a comprehensive
- quarterly report of all cases pending before and the result
- of all cases disposed of by the Court of Common Pleas.
- 20 Section 408. RESTRICTIONS. The Court Registrar shall not
- be permitted to practice before the Court of Common Pleas
- of the County of Allegheny.
- 23 DISTRICT ATTORNEY
- 24 Section 409. OFFICE OF THE DISTRICT ATTORNEY. There
- shall be an Office of the District Attorney.
- 26 Section 410. POWERS AND DUTIES. Except as otherwise
- 27 provided in this Charter, the District Attorney shall

- have all the powers granted to district attorneys by
- 2 applicable law, by this Charter or by ordinance.
- 3 Section 411. QUALIFICATIONS AND RESTRICTIONS. The
- 4 District Attorney and the Assistant District Attorneys
- 5 shall be admitted to practice before the Supreme
- 6 Court of the Commonwealth of Pennsylvania. They shall not
- 7 engage in the private practice of criminal law during
- 8 the period of their service in the Office nor shall
- 9 they maintain any affiliation or association with any
- other person, firm or corporation by or through which
- they receive any money or other benefit arising from
- the practice of law in the criminal courts.
- Section 412. DETECTIVES. County detectives shall be ex-
- officio constables of the Commonwealth and shall have
- all the powers and prerogatives conferred on police
- officers by laws applicable to cities and counties of
- the Commonwealth. County detectives may be instructed
- by the District Attorney, after a criminal complaint has
- been filed before a magistrate or upon request of a
- grand jury or when directed by order of court, to make
- 21 investigations, obtain evidence and apprehend persons
- in connection with such criminal case.
- 23 Section 413. DEPARTMENT OF PUBLIC SAFETY TO ASSIST DISTRICT
- 24 ATTORNEY. The County Executive shall, upon the request
- of the District Attorney, assign to the Office of the
- 26 District Attorney from the Department of Public Safety,
- 27 such personnel to assist the District Attorney as the
- 28 County Executive deems necessary.

SHERIFF

- Section 414. OFFICE OF THE SHERIFF. There shall be an
- 3 Office of the Sheriff.
- 4 Section 415. POWERS AND DUTIES. Except as otherwise
- 5 provided in this Charter, the Sheriff shall have those
- 6 powers granted to sheriffs by applicable law and by
- 7 common law necessary to perform the functions of the
- 8 Office as set forth in Section 416 of this Charter.
- 9 Section 416. FUNCTIONS OF THE OFFICE. The Sheriff shall
- perform the following functions:
- 11 a. Enforce judicial orders and decrees;
- b. Maintain security at county detention facilities;
- c. Maintain security in and about the courts of the
- 14 county;
- d. Guard prisoners when they are not confined in
- 16 county detention facilities;
- e. Perform other public safety and peace-keeping functions,
- subject to the provisions of Section 418 of this Charter.
- 19 Section 417. RESTRICTIONS. The Sheriff and the Deputy
- 20 Sheriffs shall not engage in the private practice of
- 21 law during the period of their service in the Office
- 22 nor shall they maintain any affiliation or association
- with any other person, firm or corporation by or
- through which they receive any money or other benefit
- arising from the practice of law.
- 26 Section 418. JURISDICTION. It being the intent of this
- 27 Charter to vest the general function of public safety and

- peace-keeping in the Department of Public Safety, the Sheriff
- shall not exercise such powers except when requested
- 3 to do so by a municipality or political sub-division
- 4 within the County of Allegheny, the County Executive
- or the Governor of the Commonwealth of Pennsylvania.
- 6 Section 419. DEPUTY SHERIFFS. When performing the functions
- of the Office, the deputy sheriffs shall be ex-officio
- constables of the Commonwealth of Pennsylvania and shall
- 9 have all the powers and prerogatives conferred on police
- officers by laws applicable to cities and counties of the
- 11 Commonwealth.
- Section 420. DEPARTMENT OF PUBLIC SAFETY TO ASSIST THE
- 13 SHERIFF. The County Executive shall, upon the request of
- the Sheriff, assign to the Office of the Sheriff from the
- Department of Public Safety, such personnel to assist the
- Sheriff as the County Executive deems necessary.

## ARTICLE V

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3	ADMINISTRATIVE	AND	DEPARTMENTAL	ORGANIZATION

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to be performed.

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5	Section 501. SUPERVISION AND ORGANIZATION. All departments
6	shall be subject to the direction, supervision and control
7	of the County Executive. The County Executive shall appoint
8	a director for each department, subject to confirmation
9	procedures described in Article II.
10	Section 502. REORGANIZATION. The County Executive may
11	submit to the Board of County Representatives proposed
12	ordinances recommending changes in departmental organiza-
13	tion including the establishment or abolition of depart-
14	ments, and the assignment or reassignment of functions,
15	powers and duties among departments. If the Board of County
16	Representatives fails to adopt or to reject the proposed
17	reorganization ordinance within sixty (60) days after its
18	submission, said proposed ordinance shall be deemed
19	adopted as fully and to the same extent as if favorable
20	action thereon had been taken by the Board of County
21	Representatives.
22	Section 503. DUTIES OF DIRECTORS. The County Executive
23	shall recommend for inclusion in the Administrative Code,
24	articles prepared by each officer which set forth the
25	powers that each department expects to use and the manner
26	and procedures in which the duties of each department are

Section 504. FUNCTIONS OF DIRECTORS. Directors shall 1 2 manage their departments and supervise departmental per-They shall appoint, subject to the approval of the County Executive and the provisions of Article VIII, 4 all departmental personnel. Directors shall exercise the 5 powers and perform the duties set forth by law, by this 6 Charter or by ordinance, and shall perform every pro-7 fessional act incident to the office of director and as 8 may be required or authorized by the Administrative Code. 9 10 Section 505. REMOVAL OF DIRECTORS. Except as otherwise provided in this Charter or by law, directors shall 11 hold office at the pleasure of the County Executive. 12 13 If a director is removed, the County Executive shall notify the Board of County Representatives giving l 4 written explanation of the reasons for such removal. 15 TEMPORARY APPOINTMENTS. When the position 16 Section 506. 17 of director is vacant, the County Executive shall make a permanent or temporary appointment to fill the position. 18 No temporary appointee shall serve for a period longer 19 20 than six (6) months, unless this period is extended by action of the Board of County Representatives. 21 Section 507. COMMON ADMINISTRATIVE SERVICES. All county 22 agencies and authorities which receive funds appropriated or 23 approved by the Board of County Representatives shall 24use the services and facilities of the county such as 25

but not limited to, legal, accounting, purchasing, data

processing and engineering, whenever the County Executive

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- determines that these services are available within the
- 2 county government.
- 3 Section 508. COMMON ADMINISTRATIVE POWERS. The
- 4 County Executive may recommend to the Board of County
- 5 Representatives its adoption of uniform administrative
- 6 procedures and regulations to be followed by all de-
- 7 partments, offices and boards.
- 8 DEPARTMENTAL ORGANIZATION
- 9 Section 509.0. DEPARTMENT OF AVIATION. There shall be
- 10 a Department of Aviation.
- Section 509.1. POWERS AND DUTIES OF THE DEPARTMENT.
- The Department of Aviation shall have the power and its
- duty shall be to:
- Develop and manage the aviation facilities and pro-
- grams of the county.
- Section 510.0. DEPARTMENT OF COMMUNITY SERVICES.
- There shall be a Department of Community Services.
- 18 Section 510.1. POWERS AND DUTIES OF THE DEPARTMENT.
- The Department shall have the power and its duty shall
- 20 be to:
- 21 Coordinate county participation in and funding of
- the following programs:
- 23 a. Veterans' affairs;
- b. Consumer protection and advice;
- 25 c. Library service;
- d. Citizens' information;
- e. Cultural and educational activities;

- f. Agricultural and soil conservation services;
- 2 g. Promotion of industrial and commercial
- 3 development in the county;
- 4 h. Financial assistance and other aid to cities,
- 5 boroughs, townships and other political sub-divisions.
- 6 Section 511.0. DEPARTMENT OF CORRECTIONS. There shall
- be a Department of Corrections, directed by a Warden.
- 8 Section 511.1. POWERS AND DUTIES OF THE DEPARTMENT.
- 9 The Department of Corrections shall have the power and
- 10 its duty shall be to:
- a. Manage the Allegheny County Prison;
- b. Provide for the health and safe keeping of and
- programs for the training and rehabilitation of all
- 14 prisoners therein.
- Section 512.0. DEPARTMENT OF FINANCE. There shall be
- 16 a Department of Finance.
- 17 Section 512.1. POWERS AND DUTIES OF THE DEPARTMENT.
- The Department of Finance shall have all the powers
- granted to treasurers and assessors by applicable law,
- by this Charter or by ordinance, and its duty shall be to:
- 21 a. Collect and receive all taxes and other monies
- due or receivable by the county and issue receipts therefor,
- 23 or authorize other county agencies to do so under condi-
- tions prescribed by the Director;
- b. Keep accurate and complete accounts of receipts
- and disbursements;
- 27 c. Deposit monies in depositories authorized by
- 28 ordinance;

- d. Invest county monies in accordance with the
- provisions of the Administrative Code;
- e. Disburse all payments for authorized expenditures;
- f. Administer a system for the collection of municipal
- tax claims and liens, as prescribed by applicable law;
- g. Supervise the assessment of all real and personal
- 7 property in the county for tax purposes, as provided by
- 8 applicable law.
- 9 Section 513.0. DEPARTMENT OF HEALTH. There shall be
- 10 a Department of Health.
- 11 Section 513.1. POWERS AND DUTIES OF THE DEPARTMENT.
- The Department of Health shall have the power and its
- duty shall be to:
- Develop and manage those programs and services
- necessary for the protection of the public health,
- as provided by law or by ordinance.
- Section 514.0. DEPARTMENT OF HUMAN SERVICES. There
- shall be a Department of Human Services.
- 19 Section 514.1. POWERS AND DUTIES OF THE DEPARTMENT.
- The Department of Human Services shall have the power
- 21 and its duty shall be to provide or to coordinate separate
- programs in the areas of:
- 23 Child care and development; service to senior citizens;
- 24 mental health and mental retardation; programs
- formerly under the jurisdiction of the Allegheny
- 26 County Institution District (Kane Hospital, Child
- Welfare); and other programs dealing with human services

- as provided by applicable law, by this Charter or by
- 2 ordinance.
- Section 514.2. ADVISORY BOARDS. There shall be an
- advisory board for the Department of Human Services
- and for the program of child care and development.
- The members shall be appointed as provided in Article
- VI, or according to law. Each advisory board shall:
- 8 a. Make recommendations on matters referred by
- 9 the County Executive, the Board of County Representa-
- tives, the executive of the bureau concerned or as
- deemed appropriate by the advisory board;
- b. Consult and advise on matters pertaining to the
- development of an annual plan of services and
- estimate of expenditures, to be presented to the
- County Executive and to the Board of County Repre-
- sentatives for consideration in budgeting;
- 77 c. Promote better public understanding of the
- programs and objectives of the bureau;
- d. Suggest policies for the operation and de-
- velopment of the bureau.
- 21 Section 515.0. DEPARTMENT OF LABORATORIES. There
- shall be a Department of Laboratories.
- 23 Section 515.1. POWERS AND DUTIES OF THE DEPARTMENT.
- 24 The Department of Laboratories shall have the power
- and its duty shall be to:
- 26 Perform scientific and technical tests in connection
- with criminal investigations, and for such other purposes

- as may be provided by ordinance.
- 2 Section 516.0. DEPARTMENT OF LAW. There shall be a
- 3 Department of Law, directed by the County Solicitor.
- 4 Section 516.1. QUALIFICATIONS. The County Solicitor
- 5 shall be admitted to practice before the Supreme Court
- of the Commonwealth of Pennsylvania.
- 7 Section 516.2. POWERS AND DUTIES OF THE DEPARTMENT.
- 8 Except as otherwise provided in this Charter or by
- 9 ordinance, the Department of Law shall have the sole power
- 10 and its duty shall be to:
- a. Represent the County of Allegheny in all court
- 12 proceedings;
- b. Superintend, direct and conduct all legal
- matters involving the county;
- 15 c. Render legal advice to county officials,
- officers and boards, upon request.
- 17 Section 517.0. DEPARTMENT OF THE MEDICAL EXAMINER.
- There shall be a Department of the Medical Examiner.
- 19 Section 517.1. QUALIFICATIONS. The Medical Examiner
- shall be a doctor of medicine, eligible for certifi-
- 21 cation in forensic pathology by the American Board of
- 22 Pathology. Upon recommendation by the County Executive,
- that the above qualifications unduly restrict the number
- 24 of available candidates for the position of Medical
- 25 Examiner, the Board of County Representatives may, by
- ordinance, revise the above qualifications, but in no
- 27 instance may it adopt a qualification of less than a

- Doctor of Medicine, who is certified in Anatomic Pathology
- with at least three (3) years of experience in Forensic
- 3 Pathology and/or related Forensic Sciences.
- 4 Section 517.2. POWERS AND DUTIES OF THE DEPARTMENT.
- 5 The Department of the Medical Examiner shall have all
- the powers granted to coroners and medical examiners by
- applicable law, by this Charter or by ordinance, and its
- 8 duty shall be to:
- 9 Make any investigation and perform such scientific
- tests as deemed necessary to determine the cause of death.
- 11 Section 518.0. DEPARTMENT OF PARKS, RECREATION AND
- 12 CONSERVATION. There shall be a Department of Parks,
- 13 Recreation and Conservation.
- 14 Section 518.1. POWERS AND DUTIES OF THE DEPARTMENT.
- The Department of Parks, Recreation and Conservation
- shall have the power and its duty shall be to:
- Develop and manage the parks and recreational
- programs and facilities, and the conservation facilities
- 19 programs of the county.
- Section 519.0. DEPARTMENT OF PERSONNEL. There shall be
- 21 a Department of Personnel.
- 22 Section 519.1. POWERS AND DUTIES OF THE DEPARTMENT.
- 23 The Department of Personnel shall have the power and
- its duty shall be to:
- a. Administer the personnel system of the county
- in accordance with the provisions of Article VIII;
- b. Administer all records pertaining to the

- personnel system;
- 2 c. Prepare a system of impartial standards for hiring
- and promoting on a competitive basis, according to the
- 4 requirements established in Article VIII;
- 5 d. Prepare eligibility lists for appointment and
- 6 promotion, such eligibility to continue for one year
- 7 until exhausted or replaced by subsequent lists;
- 8 e. Develop training and career development programs
- 9 for county employees.
- Section 519.2. DUTIES OF THE DIRECTOR. The Director
- shall prepare, in consultation with the Personnel Board,
- 12 an article for inclusion in the Administrative Code
- which shall set forth in detail the career service rules
- and regulations, and the manner in which they shall be
- 15 administered. This article shall include:
- a. A position classification and pay plan based
- on similarity of duties performed and responsibilities
- assumed, so that the same minimum qualifications may
- reasonably be required and the same schedule of pay be
- 20 equitably applied to all positions in the same class;
- b. Designation of probationary periods for each
- class of employee;
- 23 c. A uniform employee grievance procedure;
- d. A uniform furlough procedure, by job classification.
- 25 Section 520.0. DEPARTMENT OF PLANNING AND MANAGEMENT.
- There shall be a Department of Planning and Management.
- 27 Section 520.1. POWERS AND DUTIES OF THE DEPARTMENT.

- The Department of Planning and Management shall have all
- the powers granted to county planning commissions and
- departments by applicable law, by this Charter or by
- 4 ordinance, and its duty shall be to:
- 5 a. Prepare comprehensive plans for the development
- of and improvements in the county;
- 7 b. Review all requests for the creation of positions
- and make recommendations thereon to the County Executive;
- 9 c. Study departmental operations and make recommenda-
- tions to the County Executive for the improved efficiency
- and effectiveness of such operations;
- d. Prepare the annual operating and capital budgets,
- the capital improvements plan and the projected
- operating budget, under the direction of the County
- 15 Executive.
- Section 521.0. DEPARTMENT OF PROPERTY AND SUPPLIES.
- There shall be a Department of Property and Supplies.
- Section 521.1. POWERS AND DUTIES OF THE DEPARTMENT.
- The Department of Property and Supplies shall have the
- power and its duty shall be to:
- 21 a. Operate and maintain county buildings and
- 22 facilities;
- b. Purchase or lease all materials, supplies,
- furnishings, vehicles, equipment and services for
- 25 the county;
- 26 c. Maintain county furnishings, equipment and
- vehicles;

- d. Provide telephone, mail and messenger service.
- 2 Section 522.0. DEPARTMENT OF THE PUBLIC DEFENDER.
- 3 There shall be a Department of the Public Defender.
- 4 Section 522.1. QUALIFICATIONS AND RESTRICTIONS. The
- 5 Public Defender and the Assistant Public Defenders shall
- be admitted to practice before the Supreme Court of the
- 7 Commonwealth of Pennsylvania. They shall not engage
- 8 in the private practice of criminal law during the
- 9 period of their service in the Department.
- 10 Section 522.2. POWERS AND DUTIES OF THE DEPARTMENT.
- The Department shall have the power and its duty shall
- 12 be to:
- Furnish legal counsel as provided by law or by
- 14 ordinance.
- 15 Section 523.0. DEPARTMENT OF PUBLIC SAFETY. There
- shall be a Department of Public Safety. The Director
- of Public Safety shall be the Director of Civil Defense
- 18 and the Fire Marshal.
- 19 Section 523.1. POWERS AND DUTIES OF THE DEPARTMENT.
- The Department of Public Safety shall have the power
- 21 and its duty shall be to:
- 22 a. Maintain police and fire protection of county
- 23 facilities;
- b. Provide police and fire training programs;
- 25 c. Offer supportive services to municipal police
- agencies, including the coordination of public
- 27 safety communications systems;

- d. Develop plans for coordinating county resources
- 2 in the event of a local, state or national disaster or
- 3 emergency.
- 4 Section 523.2. COUNTY POLICE. County police officers
- 5 shall be ex-officio constables of the Commonwealth of
- 6 Pennsylvania and shall have all the powers and pre-
- 7 rogatives conferred on police officers by laws applicable
- 8 to cities and counties of the Commonwealth, and as
- 9 specifically set forth in the Second Class County Code.
- 10 Section 523.3. GENERAL POWERS. Except for the powers
- granted by this Charter to the Offices of the District
- 12 Attorney and the Sheriff, the Department of Public Safety
- shall exercise the general police power of the county
- 14 government.
- Section 523.4. MUNICIPAL JURISDICTIONS MAINTAINED.
- Nothing in this Charter shall be construed to limit,
- 17 restrict or interfere with the powers or authority of
- any city, borough, township or other political subdivision
- in the provision of police or fire service.
- 20 Section 524.0. DEPARTMENT OF RECORDS MANAGEMENT.
- 21 There shall be a Department of Records Management.
- 22 Section 524.1. POWERS AND DUTIES OF THE DEPARTMENT.
- 23 The Department of Records Management shall have those
- powers granted to recorders of deeds and registrars of
- deeds by applicable law, by this Charter or by ordinance,
- and its duty shall be to:
- 27 a. Develop and maintain a system for the recording

- and registration of land titles and deeds, tax liens
- 2 and real estate assessments;
- 3 b. Govern the creation, maintenance, retention and
- disposition of all county and court records;
- 5 c. Adopt rules embodying standards for all county
- 6 agencies to govern;
- 7 1. The care, custody and filing of county records;
- 8 their retention, transfer, disposition or preservation in
- 9 archives; the designation of equipment to house such
- 10 records;
- 11 2. The occasions, methods and kinds of equipment
- to be used for the reproduction and duplication of county
- 13 records;
- d. Design and approve all forms used by any county
- agency in the exercise of its powers and the performance
- l6 of its duties;
- e. Audit the record systems of all county agencies for
- 18 compliance with the rules and regulations of the Department.
- 19 Section 525.0. DEPARTMENT OF SYSTEMS AND COMPUTER SERVICES.
- There shall be a Department of Systems and Computer Services.
- 21 Section 525.1. POWERS AND DUTIES OF THE DEPARTMENT.
- The Department of Systems and Computer Services shall
- have all the powers granted to commissions for the selec-
- 24 tion of jurors by applicable law, by this Charter or by
- ordinance, and its duty shall be to:
- 26 a. Design and implement a management information
- 27 system;

- b. Designate the occasions, methods and kinds of
- data processing and computer equipment to be used
- 3 by any county agency;
- 4 c. Design, implement and evaluate, with the
- 5 advice of the Court of Common Pleas, a system for the
- 6 selection of jurors.
- 7 Section 526.0. DEPARTMENT OF WORKS AND CONSTRUCTION.
- 8 There shall be a Department of Works and Construction.
- 9 Section 526.1. POWERS AND DUTIES OF THE DEPARTMENT.
- 10 The Department of Works and Construction shall have the
- 11 power and its duty shall be to:
- 12 a. Design, construct, repair and renovate all
- county buildings, facilities, roads and structures;
- b. Operate county waste facilities.

1	ARTICLE VI
2	
3	BOARDS
4	
5	Section 601. APPOINTMENTS TO BOARDS. Except as otherwise
6	provided in this Charter or by applicable law, the County
7	Executive shall appoint, with confirmation by the Board of
8	County Representatives, members of all boards. Upon failure
9	of the Board of County Representatives to confirm the nomination
10	by the County Executive within thirty (30) days, the appointment
11	shall become final. Upon failure of the County Executive to
12	nominate for a board vacancy within ninety (90) days of
13	such vacancy, the Board of County Representatives shall
14	make the appointment forthwith.
15	Section 602. GUIDELINES FOR APPOINTMENTS TO BOARDS.
16	The County Executive shall give public notice of the appoint-
17	ments to be made, such notice to contain an invitation to
18	interested citizens and organizations to submit names in
19	nomination. Except as otherwise provided by applicable law
20	or this Charter, all appointments to boards shall be made
21	and governed as follows:
22	a. There shall be at least seven (7) members of each
23	board. There shall not be a majority of more than one (1)
24	of either sex on any board. There shall be at least one
25	member of the black race on each board.
26	b. The appointments shall be for two (2) year terms;

- c. When such board affects the county at large, the
- 2 appointees shall consist of:
- 3 1. At least two (2) people who have received
- 4 or are receiving the service provided by the county
- 5 agency to which the board is attached;
- 6 2. One (1) member of the Board of County Representatives;
- 7 3. People who have indicated their interest and will-
- 8 ingness to serve and who are representative of the different
- 9 socio-economic groups within the county and of county districts.
- 10 Section 603. GENERAL PROVISIONS. Each board shall deter-
- mine its rules of procedure, including methods of requir-
- ing regular attendance at meetings, and shall prepare for
- inclusion in the Administrative Code an article which shall
- 14 set forth those powers the board expects to use and the
- manner and procedure in which the duties of the board are
- to be performed. Except as otherwise provided in this
- 17 Charter, meetings of boards shall be public. Boards shall keep
- records of their proceedings, which shall also be public.
- Section 604. COMPENSATION. Members of boards may be
- 20 compensated for services and reimbursed for authorized
- 21 expenses as recommended by the County Executive and
- approved by the Board of County Representatives.
- 23 Section 605. ADVISORY BOARDS CREATED. Advisory boards
- 24 may be created and dissolved only by action of the County
- 25 Executive.
- 26 Section 606. CHARTER BOARDS. The following boards are
- 27 created by this Charter: Elections and Registration;

- Employee Pension and Retirement; Environmental Review;
- 2 Personnel; Property Assessment Appeals; and boards
- 3 provided in Article V.
- 4 Section 607. BOARD OF ELECTIONS AND REGISTRATION CREATED.
- 5 There is established a Board of Elections and Registration,
- 6 hereinafter referred to as the Board of Elections.
- 7 Section 608. COMPOSITION AND APPOINTMENT. The Board
- 8 of Elections shall consist of five (5) members who shall
- 9 serve staggered terms of five (5) years. The members
- of the Board of Elections shall be appointed by majority
- vote of the County Executive and the Board of County
- Representatives, meeting together.
- Section 609. VACANCY ON THE BOARD OF ELECTIONS.
- In the event a vacancy on the Board of Elections cannot
- be filled within thirty (30) days by reason of a tie vote
- of the appointing authorities, the Controller shall
- cast the deciding vote at a meeting held within forty
- 18 (40) days of such vacancy.
- 19 Section 610. RESTRICTIONS. No more than three (3)
- 20 members of the Board of Elections shall belong to
- 21 the same political party. During the term of office,
- 22 no member shall hold public office, be a candidate for
- 23 public office, or be an officer in any political party.
- Section 611. APPOINTMENT OF THE EXECUTIVE DIRECTOR.
- 25 The Board of Elections, with confirmation by the Board
- of County Representatives, shall appoint an Executive
- 27 Director for a term of five (5) years. The Executive

- Director may be removed only upon the request of the
- 2 Board of Elections, with confirmation by majority
- 3 vote of the County Executive and of the Board of
- 4 County Representatives, meeting together.
- 5 Section 612. DUTIES OF THE EXECUTIVE DIRECTOR. The
- 6 Executive Director shall perform the functions of the
- 7 chief clerk as provided in the "Pennsylvania Election
- 8 Code", and in the "Permanent Registration Act for Cities
- 9 of the Second Class, Cities of the Second Class A,
- 10 Cities of the Third Class, Boroughs and Townships",
- and shall be considered a Director as defined in this
- 12 Charter.
- Section 613. POWERS, DUTIES, OPERATIONS, RIGHTS
- AND RESPONSIBILITIES. Except as otherwise provided
- in this Charter, the Board of Elections shall: exercise
- all powers granted by; perform all duties imposed by;
- have all rights and responsibilities of county boards
- of elections and registration commissions set forth in;
- and operate in accordance with the provisions of the
- 20 aforesaid "Pennsylvania Election Code" and "Permanent
- 21 Registration Act", cited above.
- 22 Section 614. CAMPAIGN REPORTING. The Board of Elections
- shall prepare for submission to the Board of County
- Representatives an ordinance for county officials, deal-
- 25 ing with the election campaign practices and reporting,
- 26 which shall include but shall not be limited to:
- a. Limits on campaign spending;

- b. Limits on eash contributions;
- 2 c. A system of reporting designed to identify the
- donors of services and purchasers of tickets.
- 4 Section 615. EMPLOYEE PENSION AND RETIREMENT BOARD CREATED.
- 5 There is established an Employee Pension and Retirement
- 6 Board
- 7 Section 616. COMPOSITION. The Employee Pension and
- Retirement Board shall consist of nine (9) members:
- 9 the County Executive; three (3) members of the Board
- of County Representatives; the Director of the Depart-
- ment of Finance; and four (4) employees in the career
- service who shall be elected by all county employees.
- The membership of this board shall not be subject to
- 14 Section 602 of this Charter. The Board of County
- 15 Representatives shall determine the terms and the
- 16 method of election of the career service members of
- the Employee Pension and Retirement Board.
- 18 Section 617. EMPLOYEE BENEFITS TO CONTINUE. Nothing
- 19 in this Charter shall diminish the rights or privileges
- 20 of any former county employee entitled to benefits,
- or the rights or privileges of any present county
- 22 employee in the pension and retirement system.
- 23 Section 618. POWERS AND DUTIES. The Employee Pension
- 24 and Retirement Board shall:
- a. Administer the county retirement and pension
- system as provided by applicable law, by this Charter
- or by ordinance;

- b. Serve as trustees of the Employee Pension and
- 2 Retirement Fund, with exclusive control and management
- of said Fund, and with full power to invest the monies
- or any parts thereof subject to the terms, conditions,
- 5 limitations and restrictions provided by law for in-
- 6 vestments of trust funds by fiduciaries in Pennsylvania.
- 7 Section 619. ENVIRONMENTAL REVIEW BOARD CREATED. There
- 3 is established an Environmental Review Board.
- 9 Section 620. COMPOSITION. The Board of County Repre-
- sentatives shall, by ordinance, determine the number,
- qualifications and terms of members of the Environmental
- 12 Review Board.
- Section 621. POWERS AND DUTIES. The Environmental Review
- 14 Board shall:
- a. Advise all county agencies on the development of
- programs for the protection and improvement of the quality
- of the environment and the conservation of natural resources;
- 18 b. For all activities in the nature of filling, excava-
- tion, construction or similar activities paid for in whole
- 20 or in part by county funds:
- 21 1. Approve an environmental impact statement;
- 2. Monitor compliance with the approved environ-
- 23 mental impact statement;
- 24 3. Initiate such actions at law or in equity as
- shall be necessary to enforce compliance with the approved
- environmental impact statement;
- 27 c. Perform such other duties as the Board of County

- l Representatives may ordain.
- 2 Section 622. ORDINANCE REQUIREMENTS. The Board of
- 3 County Representatives shall, by ordinance, adopt
- 4 standards relating to environmental impact, provide
- 5 penalties for the violation thereof and authorize
- 6 recourse to the courts for the enforcement of these
- 7 standards.
- 8 Section 623. ASSISTANCE TO OTHER MUNICIPALITIES.
- 9 The Environmental Review Board, shall, if requested
- by a municipality within the County of Allegheny,
- 11 review environmental impact statements concerning
- activities occurring in that municipality.
- 13 Section 624. BOARD OF PROPERTY ASSESSMENT APPEALS CREATED.
- There is established a Board of Property Assessment Appeals.
- 15 Section 625. COMPOSITION. The Board of County Representa-
- tives shall, by ordinance, determine the number, qualifica-
- tions, terms and per diem compensation of the members of the
- Board of Property Assessment Appeals.
- 19 Section 626. POWERS AND DUTIES. The Board of Property
- 20 Assessment Appeals shall:
- 21 a. Hear and determine appeals from county assessments;
- b. Following a hearing, issue an order affirming,
- vacating or modifying the assessment appealed, and
- 24 stating the reasons therefor.

1	ARTICLE VII
2	
3	FISCAL PROCEDURES .
4	
5	Section 701. FISCAL YEAR. The fiscal year shall be the
6	calendar year. The fiscal year may be changed by ordinance.
7	Section 702. COMPREHENSIVE SCOPE OF THE BUDGETS. The county
8	budgets shall consist of the annual operating budget, the
9	capital budget, the capital improvements plan, a
10	projected operating budget and the budget message. These
11	budgets shall represent a complete financial plan for the
12	next fiscal year and financial estimates projected over
13	the next five (5) fiscal years.
14	Section 703. PROJECTED FIVE-YEAR FINANCIAL PLANS. Not
15	later than one hundred and eighty (180) days before the
16	end of the fiscal year, the County Executive shall submit
17	to the Board of County Representatives a financial plan for
18	the next succeeding five (5) years which shall include, for
19	each fiscal year:
20	a. A capital improvements plan which shall list
21	those capital improvements pending and those proposed to
2 <b>2</b>	be undertaken together with the estimated cost of each
23	improvement, the proposed method of financing and the
24	estimated annual cost of operation;
25	b. A projected operating budget which shall contain a

summary of estimated revenues and projected expenditures classified by program.

- The Board of County Representatives shall hold at 1 least two (2) public hearings on the capital improvements 2 plan together with the projected operating budget. Not later 3 than ninety (90) days before the end of the fiscal year, 4 the Board of County Representatives shall, by resolution, 5 signify approval or disapproval of the proposed capital 6 improvements plan. 7 SUBMISSION OF THE CAPITAL BUDGET AND ANNUAL Section 704. 8 OPERATING BUDGET. At least seventy-five (75) days prior 9 to the end of the fiscal year, the County Executive shall 10 submit to the Board of County Representatives a budget 11 message, a balanced, annual operating budget, a capital 12 budget and the proposed tax ordinance. The budget message 13 14 shall explain the budget in fiscal terms and in terms of the objectives to be accomplished and shall relate the 1.5 16 requested appropriations to the comprehensive plans of the 17 The capital budget shall recommend those parts 18 of the capital improvements plan which shall be under-19 taken during the next fiscal year. The annual operating 20 budget shall contain an analysis of existing programs, shall identify the program objectives and those new 21 22 programs needed to achieve these objectives; proposed program expenditures; revenues needed to finance these 23 programs; and alternative programs for reaching the 24
- In addition, the annual operating budget shall include the following information:

25

objectives.

- a. A statement of the estimated cash surplus available
- 2 at the end of the fiscal year;
- 3 b. A statement of the estimated revenue to be received
- during the next fiscal year, including revenues from fees,
- 5 grants, taxes and investments;
- 6 c. A statement of debt service requirements for the
- 7 next fiscal year;
- 8 d. A statement of the bonded and other indebtedness
- 9 of the county;
- e. For each program, a comparative statement of the
- receipts, amounts budgeted and actual expenditures for
- the last completed fiscal year, and estimates for the
- currently ending fiscal year and for the next fiscal
- 14 year.
- Section 705. PUBLIC HEARINGS. The Board of County Represent-
- atives shall hold at least four (4) public hearings on
- the proposed annual operating and capital budget ordinances.
- 18 Sufficient copies of these budgets shall be made available
- to the public prior to the public hearings and after adoption.
- Section 706. ADOPTION OF THE BUDGET AND TAX ORDINANCES.
- 21 The Board of County Representatives may amend the budget and
- 22 tax ordinances proposed by the County Executive. At least
- thirty (30) days prior to the end of the fiscal year,
- the Board of County Representatives shall adopt the budget
- 25 and tax ordinances. Should the Board of County Represent-
- atives fail to act prior to the end of the fiscal year,
- 27 and until the Board of County Representatives takes action,

- the budgets and taxes for the next fiscal year as proposed
- by the County Executive shall be deemed adopted and shall
- 3 constitute tax levies and appropriations as fully and
- 4 to the same extent as if favorable action thereon had
- 5 been taken by the Board of County Representatives.
- 6 Section 707. APPROPRIATION AMENDMENTS. If recommended by
- 7 the County Executive, the Board of County Representatives
- 8 may by ordinance, approve:
- 9 a. Expenditure of contingency funds, if the County
- Executive certifies that sufficient funds are available;
- b. Transfer of all or part of any unencumbered program
- appropriation to another program;
- 13 c. Reduction of one or more appropriations, if at
- any time during the fiscal year it appears that revenues
- will be insufficient.
- Section 708. POST-AUDIT. The Board of County Repre-
- sentatives, after competitive negotiation, shall appoint
- an independent certified public accountant or firm of
- such accountants to make an annual post-audit of all county
- agencies receiving, disbursing or authorizing the dis-
- bursement of county funds. The post-audit shall be
- conducted in accordance with generally accepted auditing
- 23 principles.
- Upon recommendation by the Controller that a post-
- 25 audit by the Commonwealth of Pennsylvania, by the United
- 26 States of America, by the Controller of Allegheny County
- or by another auditing agency is adequate, the Board

- of County Representatives may, by ordinance, exempt from
- audit by the aforesaid accountants or firm of accountants,
- a county agency which has been so audited.
- Upon completion of the post-audit, the auditor and
- 5 the Controller shall submit a report to the Board of
- 6 County Representatives. The Board of County Representatives
- shall submit this report to such other offices as may be
- 8 required and shall give public notice of the filing of the
- 9 report and the place where copies of the report are available.
- 10 Section 709. SURCHARGE REQUIREMENTS.
- a. The amount of any shortage, or the amount of any
- expenditure of a kind or made in a manner prohibited or
- unauthorized by law which causes financial loss to the
- eounty shall be a surcharge against any person against
- whom such shortage shall appear, who, by malfeasance,
- misfeasance or nonfeasance has permitted or approved
- 17 such expenditure.
- b. Any shortage, in any report filed by the Controller
- or by the appointed auditor with the Board of County
- 20 Representatives against any person, shall constitute
- 21 a surcharge and unless appeal is taken, the Board of
- 22 County Representatives shall cause same to be entered
- 23 in the Office of the Court Registrar as a judgment
- against the one surcharged in favor of the county;
- 25 c. In those instances where the Board of County
- 26 Representatives finds that the shortage or expenditure
- as aforesaid was not caused by malfeasance, misfeasance

- or nonfeasance of the person responsible therefor, but
- occurred despite the good faith of such person, the
- shortage shall not be entered as a surcharge, but the
- Board of County Representatives shall issue a special
- 5 report on the matter and shall hold a public hearing
- 6 concerning the report within sixty (60) days after
- 7 the issuance thereof;
- 8 d. Judgments entered by the Board of County Repre-
- 9 sentatives, or by the court after hearing on appeal,
- may be enforced by appropriate proceedings;
- e. It shall be lawful for the county, or any resident
- thereof on its behalf, or any person whose account is
- settled or audited, to appeal to the Court of Common
- Pleas of the county from the settlement or audit as
- shown on the report of the auditor or the Controller
- to the Board of County Representatives, not later than
- ninety (90) days after public notice of the filing of
- the report.
- Section 710. PUBLIC AVAILABILITY OF AUDITS. The Board
- 20 of County Representatives shall publish the reports of
- 21 all audits forthwith upon receipt.
- 22 Section 711. GENERAL PROVISIONS.
- a. No revenues from the sale of bonds shall be appro-
- priated to finance annual operating programs;
- 25 b. Action to guarantee authority debt must receive
- 26 five (5) votes of the Board of County Representatives;
- 27 c. The assessment of all real property in Allegheny

- County shall be uniform and shall not be more than fifty percent (50%) of actual value. The Administrative Code
- 3 shall set forth the assessment procedures and shall specify
- that real property be listed by street address as well as
- by name of owner. The Administrative Code shall place the
- 6 burden of proof about the uniformity of assessments on the
- 7 county.
- 8 CONTRACTS
- 9 Section 712. CONTRACT EXECUTION. Except where this
- 10 Charter permits award of a contract by the Board of
- County Representatives, all contracts shall be awarded
- and executed on behalf of the county by the County Execu-
- tive or by a designated agent. The Administrative Code
- shall specify those contracts which must be executed
- only by the County Executive and the procedures governing
- other contracts.
- 17 Section 713. COMPETITIVE BIDS. Except as otherwise pro-
- vided in this Charter, all contracts in excess of two
- thousand five hundred dollars (\$2,500), shall be awarded
- to the best responsible bidder after competitive bidding.
- 21 In awarding bids, the County Executive may take into
- consideration such factors as the availability, costs and
- 23 quality of service, and "best responsible bidder" may be
- defined by ordinance in terms of lowest overall cost to
- 25 the county. The Board of County Representatives shall, in
- the Administrative Code, establish a system of competitive
- 27 bidding, including such definitions, publication require-

- ments, deposit and bond requirements, conditions, terms,
- 2 rules, regulations, waivers and exceptions as it shall from
- 3 time to time deem adviable, and may change the limit for
- 4 competitive bids by an ordinance adopted by five (5) votes.
- 5 Contracts for longer than twenty-four (24) months shall be
- 6 approved by the Board of County Representatives.
- 7 Section 714. EXCEPTIONS TO COMPETITIVE BIDDINGS. Competitive
- 8 bidding shall not be required for:
- 9 a. Labor, material, supplies or services rendered
- or furnished by any county agency to another county agency;
- b. Contracts with other governmental entities;
- c. Contracts for emergency repairs or services, involving
- danger to the health and safety of employees or the public;
- d. Contracts for professional or unique services, and
- purchases available from only one (1) vendor.
- Section 715. CONTRACTS FOR PROFESSIONAL OR UNIQUE SERVICES,
- AND PURCHASES AVAILABLE FROM ONLY ONE VENDOR. The Board
- of County Representatives shall, in the Administrative Code,
- 19 prescribe a system for competitive negotiation for contracts
- for professional or unique services and purchases available
- from only one (1) vendor. This system shall include:
- 22 a. Public notice of the service or item sought, such
- 23 notice to contain an accurate and specific description
- thereof together with any technical requirements necessary;
- 25 b. A statement of the amount over which such contracts
- shall not be awarded except after a public hearing held
- 27 by the County Executive.

1	ARTICLE VIII
2	
3	PERSONNEL
4	
5	Section 801. PERSONNEL SYSTEM, PURPOSE. There is
6	established a unified personnel system for the County
7	of Allegheny. The purpose of the personnel provisions
8	of this Charter is to establish for the county a career
9	service designed to attract, select and retain, on the
10	basis of a fair, open and competitive selection process,
1 !	the best qualified individuals for county service. All
12	appointments, promotions, transfers, lay-offs and discipli-
13	nary actions concerning county employees in the career
1.4	service shall be in accordance with career service
15	regulations.
16	Section 802. ANTI-DISCRIMINATION. No person shall be ap-
17	appointed to, promoted to or demoted from any position in
18	the county, or in any way discriminated against with
19	respect to employment because of sex, race, color, age,
20	religion, national origin, parental status, political
21	opinions or labor union activity.
22	The provisions of this section shall be interpreted
23	and applied in accordance with the Guidelines as established
24	revised and amended, of the Equal Employment Opportunity
25	Commission of the United States of America, promulgated
26	in the administration and enforcement of the Civil Rights
9.7	Ast of 1064

- 1 Section 803. RESIDENCY. All county officers and employees
- shall be county residents or become county residents within
- 3 six (6) months of their appointment or employment.
- 4 Section 804. CAREER AND EXEMPT SERVICE. County employees
- 5 shall be either in the career or exempt service. The
- 6 exempt service shall consist of:
- 7 a. Elected officials and their deputies, appointed in
- 8 accordance with Section 1010;
- 9 b. Directors of departments and bureau chiefs, but the
- 10 number of such exempt positions in each department or
- office shall be determined by ordinance, and shall not
- 12 exceed five (5);
- 13 c. One clerical assistant for each official, deputy,
- director, bureau chief and judge;
- d. The professional staffs of the Board of County
- 16 Representatives, the County Executive and the Court of
- 17 Common Pleas;
- e. Provisional, probationary and temporary employees;
- 19 f. Permanent, part-time professional employees.
- 20 All other county employees shall be in the career service.
- The categories of those in the exempt service, as above
- 22 set forth, may be changed by ordinance adopted by the vote
- of five (5) members of the Board of County Representatives.
- Section 805. TENURE OF CAREER EMPLOYEES. No employee
- in the career service shall be dismissed, suspended or
- 26 reduced in rank or pay except for just cause. Nothing
- 27 herein shall be construed to prevent furloughs or reduction
- in the number of career employees by reason of lack of funds

- or work, abolition of a position, significant change in
- duties or organization or other valid reason.
- 3 Section 806. IMPARTIAL STANDARDS AND ELIGIBILITY LISTS.
- 4 The impartial standards used to evaluate the qualifications
- of candidates for the career service shall include but shall
- 6 not necessarily be limited to: job-related written, per-
- 7 formance or oral tests; training and experience; and a
- 8 physical examination related to the position to be filled.
- 9 The Administrative Code shall indicate the nature of the
- test required for each position classification.
- Public notice of examinations for positions, de-
- scribing generally the position and necessary qualifica-
- tions, shall be given at least fourteen (14) days prior
- to the examination. The eligibility list and the pro-
- cedures for determining eligibility shall be publicly
- 16 posted.
- 17 Provisional appointments shall be made only in the
- absence of an appropriate eligibility list and shall
- continue only until an eligibility list is established.
- 20 Such lists shall be established within four (4) months
- of the provisional appointment, except during the first
- 22 year after the effective date of this Charter, in order
- 23 to avoid disruption of the orderly conduct of the
- business of the county.
- No person may serve as a provisional or temporary
- employee for longer than six (6) months in any twelve (12)
- 27 month period, except during the first year after the
- 28 effective date of this Charter.

- Section 807. PERSONNEL BOARD: COMPOSITION. The Personnel
- 2 Board shall be composed of five (5) members who shall
- 3 serve staggered five (5) year terms. They shall be individ-
- 4 uals qualified by training, knowledge or expertise in
- 5 personnel management or labor relations, and known to be
- in sympathy with merit and career development principles.
- 7 No county employee shall serve on the Personnel Board.
- 8 Section 808. COMPENSATION. The Personnel Board shall be
- 9 compensated and reimbursed for authorized expenses as
- recommended by the County Executive and approved by the
- 11 Board of County Representatives.
- Section 809. POWERS AND DUTIES OF THE PERSONNEL BOARD.
- Hearings and appeals from decisions of the Personnel
- Board shall be governed by procedures in the Local
- Agency Law and shall include the right to legal counsel.
- The Personnel Board shall:
- a. Hear appeals from any employee claiming dis-
- crimination, as defined in Section 802;
- b. Hear appeals from career service employees con-
- 20 cerning promotion decisions and disciplinary action
- 21 resulting in suspension, dismissal or reduction in
- 22 rank or pay;
- 23 c. Hear appeals formerly heard by the police and
- 24 fire civil service commission;
- d. Have the power of subpoena as provided in
- 26 Article X:
- e. Have the power to dismiss or uphold an appeal.

- modify a penalty, reinstate an employee or award back
- pay. The maximum period of a suspension shall be one
- 3 year;
- f. Grant closed hearings when requested by the
- 5 appellant.
- 6 Section 810. UNION ACTIVITY. Nothing in this Article
- shall be construed to diminish the rights granted under
- 8 the laws of the Commonwealth of Pennsylvania or the United
- generated States of America to any employee or employee organization.
- O Section 811. CAREER SERVICE STATUS OF PRESENT EMPLOYEES.
- All employees subject to inclusion in the career service,
- .2 who are in service to the County of Allegheny on the date
- of adoption of this Charter, shall be included automatically
- in the career service and shall not be subject to competitive
- 65 examination as a condition of continuation in the same or
- similar position; but in all other respects, shall be sub-
- ject to the personnel system herein described.
- 8 Section 812. EMPLOYEE RIGHTS AND BENEFITS TO CONTINUE.
- Nothing in this Charter shall diminish the rights or
- 20 privileges of any former county employee entitled to
- 21 benefits or the rights or privileges of any present
- county employee in the pension and retirement system.
- 23 Nothing in this Charter shall be inconsistent with any
- law affecting the rights, benefits or working conditions
- of any county employee.
- 26 Section 813. POLITICAL ACTIVITY. All county employees
- may participate or refrain from participating in political

- activity except that:
- a. County employees shall not engage in political
- 3 activity during their hours of employment;
- b. No county employee shall hold the office of county
- 5 chairperson of any political party;
- 6 c. No county official, officer or employee shall
- directly or indirectly solicit funds for any political
- 8 party or candidate from any other county official,
- 9 officer or employee.
- Section 814. COUNTY EMPLOYEES SUBJECT TO OTHER PERSONNEL
- REGULATIONS. County employees subject to the personnel
- regulations of the Commonwealth of Pennsylvania or the
- United States of America shall be hired, promoted, dis-
- missed and governed in accordance with such regulations.
- 15 Section 815. COUNTY EMPLOYEES SUBJECT TO CIVIL SERVICE.
- 16 County employees under the jurisdiction of the Allegheny
- 17 County Civil Service Commission on the effective date of
- this Charter shall be promoted, reduced in rank, suspended
- 19 and furloughed in accordance with the provisions of the
- Second Class County Code, as adapted by the Personnel
- Board and the Director of Personnel.

1	ARTICLE IX
2	
3	INTERGOVERNMENTAL RELATIONS
4	
5	Section 901. MUNICIPAL POWERS RESERVED. No existing
6	function, duty or power of any political subdivision
7	within the County of Allegheny is transferred, altered
8	or impaired by this Charter or by the Administrative
9	Code adopted pursuant thereto.
10	Section 902. INTERGOVERNMENTAL AND INTER-AGENCY
11	COOPERATION. The County of Allegheny may cooperate
12	with any: political subdivision of the Commonwealth
13	of Pennsylvania or other state; regional planning
14	commission; council of governments; and association or
15	corporation, public and private.
16	Section 903. INTERGOVERNMENTAL AND INTER-AGENCY
17	CONTRACTS. The County of Allegheny shall have the power
18	to contract with any public or private association and
19	corporation, authority or political subdivision for
20	the establishment, maintenance and operation of any
21	facility and the rendering of any service that each
22	of the contracting parties has the legal authority to
23	perform itself.

1	ARTICLE X
2	
3	GENERAL PROVISIONS
4	
5	Section 1001. ELECTION OF COUNTY OFFICIALS. The
6	Controller, County Executive, Court Registrar, District
7	Attorney and Sheriff shall be elected at large. One
8	member of the Board of County Representatives shall be
9	elected from each of seven districts, each district
10	composed of compact and contiguous territory as nearly
1 1.	equal in population as practicable.
12	Section 1002. QUALIFICATIONS OF ELECTED OFFICIALS.
13	All elected county officials shall be qualified electors
14	of the county, and shall have lived in the county for
15	at least two years prior to the date of election.
16	Members of the Board of County Representatives shall
17	have lived in the district from which they seek election
18	for at least two years prior to the date of election.
19	All elected officials shall continue to live in the county
20	and members of the Board of County Representatives
21	in their districts, during the term of office.
22	No incumbent Representative shall be made ineligible
23	to hold office by reason of redistricting during a term
24	of office, but shall continue to represent the district
25	from which originally elected for the remainder of the
26	term for which elected.
27	Any person otherwise eligible to hold the office of

- Representative shall not be made ineligible by reason
- of a redistricting, but for the election following
- 3 redistricting, such person may run in either but not
- 4 both districts.
- 5 Section 1003. ELECTED OFFICIALS. TERMS: The term
- of office for all elected officials shall be four (4)
- years, commencing on the first Monday in January next
- 8 succeeding election to office, and expiring upon the
- 9 assumption of the office by a successor.
- Section 1004. INCOMPATIBLE OFFICES. Except as otherwise
- provided in this Charter, no elected county official
- shall at the same time hold any other elective public
- office except government study commissioner, be a
- member of any public school board, county or state
- chairperson of a political party or hold any appointive
- governmental office from which a salary, fee or honorarium
- is accepted.
- 18 Section 1005. OFFICIALS' POWERS PRESERVED. Nothing in
- this Charter shall be construed to permit the elimina-
- 20 tion or reduction of powers granted to any elected official
- 21 by this Charter.
- 22 Section 1006. RESTRICTIONS. County elected officials
- 23 shall devote full attention to the duties of their
- offices and shall not engage in any occupation, profes-
- sion or activity which would materially interfere with
- these duties.
- 27 Section 1007. VACANCIES, FORFEITURE OF OFFICE.

- A vacancy shall exist in an elective office upon death,
- 2 resignation, non-residency, removal from office in any
- manner authorized by law or this Charter, or forfeiture
- 4 of office, or for failure to assume such office with-
- 5 in forty-five (45) days after the commencement of the
- 6 term for which elected. An elected official shall
- 7 forfeit office if he or she:
- 8 a. Lacks at any time any eligibility factor for
- 9 office as prescribed in Section 1002;
- b. Violates any of the prohibitions in Article X.
- Section 1008. VACANCY IN AT LARGE OFFICES. A vacancy
- in an at large office shall be filled by the appointed
- deputy, who shall serve until assumption of the office
- by a successor elected at the next municipal or general
- 15 election at which such officials may be elected. The
- successor shall serve for the unexpired term.
- 17 Section 1009. VACANCY ON THE BOARD OF COUNTY REPRE-
- 18 SENTATIVES.
- 19 a. A vacancy in the office of member of the
- 20 Board of County Representatives shall be filled by the
- appointment of a qualified person, made by the remain-
- ing members of the Board.
- 23 b. The appointee shall serve until a successor is
- 24 elected at the next municipal or general election at
- 25 which such officials may be elected. The successor
- shall serve for the unexpired term.
- 27 c. In addition to other qualifications as set forth

- in Section 1002, the appointee shall be and shall have
- 2 been for a period of not less than two (2) years, a
- member of the same political party as the Representa-
- 4 tive whose office is vacant.
- 5 d. In all cases where, by reason of a tie vote,
- 6 the Board of County Representatives shall be unable to
- fill a vacancy in its membership, the County Executive,
- 8 if in attendance at the meeting, shall have the duty to
- 9 cast the tie-breaking vote.
- If such tie vote occurs at any meeting when
- the County Executive is not in attendance, the matter
- shall be tabled to a special meeting to be held within
- not less than five (5) days or more than ten (10) days,
- with notice to the County Executive, at which meeting
- it shall be the duty of the County Executive to cast the
- 16 tie-breaking vote.
- e. If for any reason whatsoever, a vacancy in the
- membership of the Board of County Representatives is
- not filled within forty (40) days after the occurrence
- thereof, then the Court of Common Pleas shall, upon
- 21 petition of the Board of County Representatives, or the
- 22 County Executive or five (5) qualified electors of the
- district affected thereby, fill such vacancy by appoint-
- 24 ment of a qualified person to serve until assumption of
- 25 office by a successor elected at the next municipal or
- general election at which such officials may be elected.
- The successor shall serve for the unexpired term.

- Section 1010. APPOINTMENT OF DEPUTIES. Officials
- elected at large shall, within ten (10) days of taking
- office, appoint a deputy who shall fill any vacancy in
- 4 the office. The official shall file the name of the
- 5 deputy in the office of the Board of County Representatives.
- The deputy, in filling the vacancy, shall exercise all
- 7 powers and perform all duties of the official whose
- 8 office the deputy fills. If for any reason there is
- 9 no deputy at the time a vacancy occurs, a deputy shall
- be appointed by the Board of County Representatives.
- 11 Section 1011. REMOVAL. Elected officials may be removed
- 12 from office for failure to perform the duties of the
- office, whether from physical or mental disability
- or otherwise, or for causes listed in the Pennsylvania
- 15 Constitution, Article VI, Section 7. All proceedings
- concerned with removal shall be commenced in the
- 17 Court of Common Pleas and all record court costs shall
- be borne by Allegheny County.
- 19 Section 1012. COMPENSATION OF ELECTED OFFICIALS.
- 20 The County Executive shall receive compensation of
- 2) forty thousand dollars (\$40,000) per annum. The Controller
- 22 and the District Attorney shall receive compensation of
- twenty-nine thousand dollars (\$29,000) per annum.
- 24 All other elected officials shall receive compensation
- of twenty-four thousand dollars (\$24,000) per annum.
- 26 Compensation of elected officials may be increased or
- decreased by ordinance, provided that such ordinance

- shall not be adopted less than twelve months prior to
- 2 the date of election of that official.
- 3 Section 1013. NO ADDITIONAL COMPENSATION. Except for
- 4 authorized expenses, no elected official shall receive
- any additional compensation from the County of Allegheny
- 6 for any service whatsoever. Limitations on additional
- 7 compensation paid to county employees by any county
- 8 agency shall be set forth in the Administrative
- 9 Code.
- Section 1014. BONDS. The Board of County Representatives
- shall set forth in the Administrative Code which
- officials, officers and employees of the county and
- its agencies shall be bonded and the conditions and
- amount of the bond. Such bonds shall be paid for by
- 15 the county.
- 16 Section 1015. CODIFICATION OF ORDINANCES AND DISTRIBU-
- TION OF PUBLIC RECORDS. All county ordinances and any
- existing resolutions having legislative effect shall be
- 19 codified. Copies of this Code as well as copies of any
- other public record shall be made available to the
- 21 public upon request, free or at a reasonable charge.
- 22 Section 1016. INQUIRIES AND INVESTIGATIONS.
- 23 a. The Board of County Representatives, the
- 24 Controller and the Personnel Board shall each have
- 25 the power to conduct inquiries and investigations in aid
- of the exercise of their powers and performance of
- 27 their duties;

- b. The persons aforesaid shall have the power to
- compel the attendance of witnesses and the production
- 3 of documents and other evidence at investigative
- 4 hearings, and for that purpose may issue subpoenas,
- signed by these officials or board members and served
- 6 as provided by law.
- 7 c. The official, board member or deputy presiding at
- any hearing shall have the power to administer oaths to
- 9 witnesses.
- d. If any person shall refuse or neglect to obey
- any subpoena, that person shall, upon conviction there-
- of at a summary proceeding, be sentenced to pay a fine
- as may be ordained, and in default of the payment of
- such fine and costs, shall be imprisoned not to exceed
- 15 thirty (30) days.
- e. If any person shall refuse or neglect to obey
- any subpoena, the official or board issuing same may,
- by petition, apply to the Court of Common Pleas of the
- 19 county for its subpoena to compel the attendance of such
- 20 person before the official, the board or the court.
- 21 Upon failure to attend, such person shall be held in
- 22 contempt of court and be punished therefor.
- 23 Section 1017. CONFLICT OF INTEREST.
- a. No official, officer or employee shall in any
- 25 manner whatsoever receive benefit from the profits
- or emoluments of any contract, job, work or service
- for the county, or accept any service or thing of value,

- directly or indirectly, upon more favorable terms than
- those granted to the public generally, from any person,
- 3 firm or corporation having dealings with the county.
- 4 No official, officer or employee shall solicit or
- 5 receive any compensation, gratuity or other thing for
- any act or commission done in the course of public work.
- 7 This sub-section shall not be construed to prohibit
- 8 county officials, officers or employees from accepting
- group discounts, group insurance or other economic
- advantages offered inclusively to all county officials,
- officers and employees.
- b. The provisions of this section shall be broadly
- construed and strictly enforced for the purpose of
- preventing officials, officers or employees from
- securing any pecuniary advantages, however indirect,
- from their public associations, other than their
- compensation provided by law.
- 18 c. In order to guard against injustice, an official,
- officer or employee may own stock or maintain a business
- 20 connection with any person, firm or corporation dealing
- 21 with the county, if, on full public disclosure of all
- pertinent facts, the Board of County Representatives
- shall determine that such stock ownership or connection
- is maintained in a capacity with no possible influence on
- such dealings and cannot result in direct benefit, financial
- or otherwise, from such dealings to the official, officer
- or employee.

- d. Every official and officer, if aware of being
- within the exception set forth in sub-section c above,
- 3 shall so inform the Board of County Representatives,
- and if the official be a Representative the Representa-
- 5 tive shall abstain from voting on the matter. It shall
- 6 be the duty of the Board of County Representatives to
- determine in each instance whether a conflict, in fact,
- 8 exists, and if a conflict is found, not to deal with
- 9 the person, firm or corporation involved.
- e. County employees shall not be required to make
- general disclosure of stock ownership and business
- connections except as provided by rules and regulations
- set forth in the Administrative Code.
- f. Any official, officer or employee who will-
- fully violates any of the provisions of this section
- shall forfeit office or employment.
- 17 Section 1018. DEFINITIONS USED IN THIS CHARTER.
- a. "Administrative Code" is a compilation of all ordi-
- 19 nances relating to administrative structure and government
- 20 procedure which shall, among other things, include: enumera-
- 21 tion of departments, boards and other administrative units;
- 22 the division of powers among them; internal procedures
- 23 guiding their operation; the duties of administrative
- 24 heads and their relationship to the County Executive.
- b. "Agency" or "county agency" when used to desig-
- nate an element or unit of county government, shall
- be construed as including all offices, departments,

- administrative units, courts, institutions, authorities,
- boards and commissions of the county government.
- 3 c. "Annual operating budget" means the plan of
- 4 county to receive and expend funds for charges
- incurred for operation, maintenance, interest and
- 6 other charges for the next fiscal year.
- d. "Applicable law" means all acts of the General
- 8 Assembly applicable to the subject matter of the section
- of the Charter in which it appears, and particularly
- those acts of the General Assembly applicable to
- 11 counties and cities.
- e. "Capital budget" means the plan of the county
- to receive and expend funds for capital projects
- during the first fiscal year of the capital improve-
- 15 ments program.
- f. "Capital improvements plan" means the plan
- of the county to receive and expend funds for capital
- projects during the fiscal year covered by the capital
- budget and the next succeeding four (4) fiscal years.
- g. "Capital project" means:
- 21 1. Any item of construction, acquisition,
- extraordinary maintenance or repair;
- 2. Any preliminary studies, surveys, planning,
- testing or design work directly related thereto;
- 3. Any lands or rights in land to be acquired;
- 4. Any furnishings, machinery, apparatus or
- 27 equipment normally classified as capital items, but

- such items must have a useful life of five (5) years or
  more if not financed as part of a construction project.
- 3 h. "County funds" means any monies received by the
- 4 county, or appropriated or approved by the county, or to
- 5 which the county may at any time have legal or equitable
- 6 title.
- 7 i. "Officer" means all directors of departments
- and any county employee whose appointment must be
- approved by the Board of County Representatives.
- j. "Official" means a person elected to county
- office.
- k. "Performance audit" means the determination as
- to whether county resources have been efficiently
- and effectively used in achieving stated program goals.
- 15 l. "Public hearing", where one is required by this
- 16 Charter, means a meeting held by the Board of County
- Representatives or the County Executive at which the
- public shall be permitted to speak to the subjects
- specified in the Charter.
- 20 m. "Public notice" shall consist of publication in
- 21 at least one daily newspaper of general circulation in
- 22 Allegheny County as defined by the Newspaper Adver-
- 23 tising Act.
- n. "Records" shall include all books, papers, maps,
- 25 photographs, reproductions or other documentary materials
- 26 regardless of physical form or characteristics, owned,
- 27 made or received by any official, officer or agency of

- l the county.
- o. "Second Class County Code" means those Acts of the
- 3 General Assembly of the Commonwealth of Pennsylvania
- 4 applicable to counties of the second class on the date
- of adoption of this Charter.
- 6 Section 1019. INITIATIVE AND REFERENDUM. "Initiative"
- 7 means the filing with the election officers of a petition
- 8 containing a proposal for referendum signed by county
- 9 electors, which proposal shall be placed on the ballot
- in a manner fairly representing the content of the
- ll proposal.
- "Initiative" shall also mean the filing with the
- election officers of a proposal as ordained by vote of
- not less than five (5) members of the Board of County
- 15 Representatives.
- "Referendum" means the approval of a question
- placed on the ballot by initiative by a majority vote
- of electors voting thereon.
- 19 Initiative by electors shall become available upon
- 20 adoption of an ordinance providing therefor by vote of
- 21 not less than five (5) members of the Board of County
- 22 Representatives which ordinance shall set forth, among
- 23 other things:
- a. The elections at which referendums shall be held;
- b. The scope of the proposals subject to referendum;
- 26 c. The number or percentage of electors required
- 27 to sign initiative petitions;

- d. The form and content of the petitions;
- e. The duties of election officers as related to
- 3 the petitions;
- f. The time lapse required between submission of similar
- 5 questions.
- 6 Section 1020. SEVERABILITY. The provisions, terms
- 7 sections and applications of this Charter shall be
- 8 severable and if any term or provision of, or any
- 9 application of this Charter to any situation shall be
- held to be unconstitutional or contrary to the Home Rule
- Charter and Optional Plans Law, the Act of April 13, 1972,
- No. 62, and, as a result invalid, such invalidity shall
- not affect the validity of any other term or provision
- or application of this Charter. It is hereby declared
- as the intent of this Charter that this Charter would have
- been adopted had such application been expressly excluded
- or had such term or provision not been included herein.
- 18 Section 1021. AMENDMENT. This Charter may be amended
- in accordance with the provisions of the Home Rule
- 20 Charter and Optional Plans Law, the Act of April 13, 1972,
- No. 62, as now or hereafter amended, re-enacted or supplied.

1	ARTICLE XI
2	
3	TRANSITION AND SCHEDULE
4	
5	Section 1101. EFFECTIVE DATE. The Charter shall,
6	upon approval by referendum in the manner provided
7	by law, become effective as of the first Monday in
8	January, 1976.
9	Section 1102. ELECTED OFFICES ABOLISHED. The following
ĨO	elected offices are hereby abolished: Clerk of Courts;
1.1	Coroner; County Commissioners; Members of the Commission for
L <b>2</b>	the Selection of Jurors; Prothonotary; Recorder of Deeds;
13	Register of Wills, Clerk of Orphans Court; and Treasurer.
14	Section 1103. BOARD OF INSPECTORS OF ALLEGHENY COUNTY
15	PRISON ABOLISHED. The Board of Inspectors of the
16	Allegheny County Prison is abolished and its functions
17	shall be performed by the Department of Corrections.
18	Section 1104. INSTITUTION DISTRICT DISSOLVED. The
19	Allegheny County Institution District shall be dis-
20	solved upon the effective date of this Charter and its
21	property, obligations, powers and duties transferred
22	to the county.
23	Section 1105. COMMISSION FOR THE SELECTION OF JURORS
24	ABOLISHED. The Commission for the Selection of Jurors
25	is abolished and its functions shall be performed by
26	the Department of Systems and Computer Services.
27	Section 1106. CONTINUITY.

a. All county ordinances, resolutions, rules and regulations in force at the time this Charter is adopted and not inconsistent with the provisions of this Charter

shall continue in force until amended or repealed.

4

- All judicial proceedings of any kind or character 5 and all condemnation proceedings for the taking or 6 damaging of private property for public use and all 7 proceedings to incur debt and issue bonds, begun or 8 pending at the time this Charter takes effect, and all 9 10 contracts for the doing of any kind of public work, not completed and performed at the time this Charter 11 takes effect, shall in no way be affected by the adop-12 tion of this Charter, but the same may be completed 13 4 in every respect as nearly as may be in accordance with 5 the provisions of this Charter.
- c. If a department, office, agency, board or commission is abolished by this Charter, its powers and duties shall be transferred to the department, office, agency, board or commission designated in this Charter, or if the Charter makes no provision, as designated by ordinance.
- d. All county agencies shall continue until reorganized, abolished or modified.
- e. The Police and Fire Civil Service Commission
  shall continue in office after the effective date
  of this Charter for the purpose of disposing of appeals
  pending on the effective date of this Charter.

- No new appeals shall be filed with this Commission
- 2 after the first organizational meeting of the Personnel
- 3 Board.
- 4 Upon rendering its decision in its final case,
- 5 the Civil Service Commission shall be dissolved.
- f. The Board of Property Assessment Appeals and
- 7 Review shall continue in office after the effective
- 8 date of this Charter for the purpose of disposing of
- 9 appeals pending on the effective date of this Charter.
- No new appeals shall be filed with this Commission
- after the first organizational meeting of the Board
- of Property Assessments Appeals.
- Upon rendering its decision in its final case, the
- Board of Property Assessment Appeals and Review shall be
- 15 dissolved.
- 16 Section 1107. AUTHORITY OF INCUMBENT ELECTED OFFICIALS.
- a. The Sheriff and Coroner in office on the
- effective date of this Charter shall remain in office,
- at the same rate of compensation, until the expiration
- 20 of the full terms for which they were elected. They
- shall exercise the powers and perform the duties of
- 22 Sheriff and Medical Examiner as set forth in this
- 23 Charter.
- b. The elected Jury Commissioners in office on the
- effective date of this Charter shall remain in office,
- 26 at the same rate of compensation, until the expiration
- of the full terms for which they were elected. They

- shall exercise the powers and perform the duties of the
- office in cooperation with the Department of Systems
- 3 and Computer Services and the Court of Common Pleas.
- 4 Section 1108. SCHEDULE OF ELECTIONS FOR COUNTY OFFICIALS.
- 5 Members of the Board of County Representatives, the
- 6 Controller, the County Executive, the Court Registrar
- 7 and the District Attorney shall be elected at the
- 8 municipal election held in November, 1975. The next
- 9 election of the Sheriff shall take place in November,
- 10 1977.
- All officials shall be elected for terms of four (4)
- 12 years, except that the first term of office of three (3)
- of the members of the Board of County Representatives
- shall be for two (2) years.
- 15 At the first public meeting of the Board of County
- Representatives held under this Charter, the Representa-
- tives shall cast lots to determine which three (3)
- members shall serve a two (2) year term.
- 19 Section 1109. SCHEDULE OF LEGISLATION. Each elected
- 20 official and each director or board required to
- 21 prepare an article for inclusion in the Adminis-
- trative Code, shall do so within one hundred and fifty
- 23 (150) days of assuming office and the same shall be
- submitted to the Board of County Representatives within
- 25 six (6) months of the effective date of this Charter.
- 26 If the Board of County Representatives has not adopted
- 27 the proposed article within sixty (60) days after its

- submission, the article as originally submitted shall
- go into effect. The complete Administrative Code shall
- 3 be adopted no later than the first Monday in January,
- 4 1977.
- 5 Section 1110. COUNTY EXECUTIVE TO ASSIGN PRESENT
- 6 FUNCTIONS AND PROGRAMS TO DEPARTMENTS. It is the intent
- 7 of this Charter to incorporate all programs and functions
- 8 of all county departments or other administrative units
- 9 existing on the effective date of this Charter into
- the departments designated in Article V hereof.
- Where this Charter does not specifically designate
- the department to which existing programs and functions
- are assigned, the County Executive shall provide for
- such assignment in the Administrative Code.
- 15 Section 1111. LIMITATION ON DEPARTMENT CHANGE. The
- 16 County Executive shall prepare a schedule which sets
- 17 forth the date of organization of each department
- according to the provisions of this Charter and shall
- 19 give notice to the Board of County Representatives
- 20 as each department is finally organized. Once or-
- 21 ganized, no substantial modification in the structure
- 22 of the department shall be made for a period of one
- 23 (1) year.
- 24 Section 1112. APPOINTMENTS TO BOARDS. All appoint-
- 25 ments to the following boards shall be made within
- thirty (30) days of the effective date of this Charter:
- 27 Elections and Registration, Personnel, Property Assess-

1	ment Appeals and Employee Pension and Retirement.						
2	Section 1113. BOARDS - DETERMINATION OF TERM. Where						
3	required by this Charter, staggered terms of office on						
4	boards shall be filled as determined by the drawing						
5	of lots by the first appointees.						
6	Section 1114. TEMPORARY ORDINANCES. The Board of						
7	County Representatives may adopt temporary ordinances						
8	necessary to effect the transition of government						
9	under this Charter and to maintain effective county						
10	government during that transition. A temporary or-						
11	dinance may be introduced and passed at any regular						
12	meeting of the Board of County Representatives during						
13	the first three (3) months following the effective						
14	date of this Charter. The ordinance shall become						
15	effective upon the approval of the County Executive						
16	and shall automatically stand repealed four (4) months						
17	after the date on which it became effective.						
18	RECOMMENDATION						
19	CHARTER OFFICIALS SHOULD CONVENE						
20	All Charter officials elected in 1975 should convene						
21	prior to January 1, 1976, to make necessary prepara-						
22	tions for the operation of Allegheny County govern-						

23 ment under this Charter.

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