

**No.** \_\_\_\_\_

## **AN ORDINANCE**

An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, directing that a referendum question regarding the amendment of Article III, §5(b) of the Home Rule Charter of Allegheny County, which establishes term limits for a single elected County official, be placed on the November 4, 2025 General Election ballot; and further amending Article III, §5(b) and Articles 201, 301, and 401 of the Administrative Code of Allegheny County, contingent upon the passage of the referendum question.

**Whereas**, Article III, §5(b) of the Home Rule Charter of Allegheny County currently establishes that the Chief Executive of Allegheny County shall be limited to three consecutive terms of office; and

**Whereas**, inclusion of the word “consecutive” in Article III, §5(b), if strictly construed, implies that an individual could serve an unlimited number of terms so long as there is an interruption of any length in that service at least once every 12 years; and

**Whereas**, it is the judgment of Council that the current wording of Article III, §5(b) could be interpreted in a fashion that renders the Chief Executive’s term limitation a near nullity to the extent that it could be easily circumvented, and that the removal of the word “consecutive” would remedy this undesirable potential outcome; and

**Whereas**, the term limit contained within Article III, §5(b) is also unique to the Chief Executive, and does not apply to any other elected official governed by the terms of the Home Rule Charter; and

**Whereas**, two of the foundational values justifying the change to home rule, as described in the preamble to the County's Home Rule Charter are diversity and inclusiveness: “[a] home rule government with a legislative County Council with Members elected by district and at large will represent the diversity of our County's citizens and provide better access to County government;” and

**Whereas**, it is the judgment of Council that diversity and inclusiveness will both be fostered by establishing the same limit of three terms for members of Council, the independently elected County officials, and the Chief Executive; and

**Whereas**, the importance of a vital and inclusive legislative branch is further demonstrated by the Charter preamble: “[a] home rule government that separates the legislative and executive functions previously vested solely in the Board of County Commissioners will

provide checks and balances on the powers of government and protect the rights, privileges and powers reserved or guaranteed to the people by the Constitutions of the United States of American and the Commonwealth of Pennsylvania."; and

**Whereas**, it is the judgment of Council that allowing the membership of the legislative branch of County government and/or the independently elected County officials to remain stagnant over extended periods of time is both undesirable and contrary to the desire of the voters of the County as expressed through their enactment of the County's Charter, particularly insofar as such stagnation greatly limits or eliminates diversity, participation, efficiency, vision and creativity in County government; and

**Whereas**, it is further the judgment of Council that the same logic that applies to limiting the Chief Executive to three terms of office applies with equal force to the individuals elected to all other County elected offices; and

**Whereas**, it is accordingly the desire of Council to apply the same term limitations to the Chief Executive, Council members, and independently elected County officials via Charter amendment;

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

***SECTION 1.                      Incorporation of the Preamble.***

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

***SECTION 2.                      Ballot Question.***

Pursuant to the Second Class County Charter Law and the Home Rule Charter and Optional Plans Law, the Allegheny County Board of Elections is hereby directed to place the following question on the November 4, 2025 General Election Ballot for consideration and approval by the registered electors of the County:

Shall Article III, §5(b) of the Home Rule Charter be amended such that the Chief Executive, Council Members, and independently elected County officials (consisting of the County Controller, District Attorney, Sheriff, and Treasurer) shall be limited to a maximum of three terms of office, effective January 1, 2026?

***SECTION 3.        Contingent amendment of Article III of the Home Rule Charter of Allegheny County.***

Immediately upon certification by the Board of Elections that the Charter amendment delineated within Section 2 of this Ordinance has been approved by the voters of Allegheny County, Article III, §5 of the Home Rule Charter of Allegheny County shall be amended as follows:

**Section 5        Election of Officers**

- a) Unless otherwise required by law or this Charter, all elected officers of the County shall be elected to four-year terms and shall continue to serve in office until a successor is elected and sworn in. All terms shall commence on the first business day of January following the election, except for the filling of unexpired terms in which case the term shall commence upon the swearing in of the officer.
- b) The Chief Executive, members of County Council, and all independently elected County officials shall be limited to three ~~consecutive~~ terms of office as defined in the Administrative Code of Allegheny County, provided, however, that under no circumstances shall any term of office longer than two years be exempted from the calculation of term limits for that same office under such definition.
- c) County Council shall consist of 15 Members, two of whom shall be elected at large and 13 of whom shall be elected by district.
- d) Any political party or body shall be entitled to nominate one candidate for the office of at-large County Council Member. In the municipal election, each voter may vote for no more than one candidate for the office of at-large Council Member and the two candidates receiving the highest number of votes shall be elected as the at-large County Council Members.
- e) At the first election under this Charter and at four year intervals thereafter, the two at-large County Council Members shall be elected.
- f) The terms of the district County Council Members shall be staggered. At the first election under this Charter, seven of the 13 district County Council Members shall be elected to terms of four years and six shall be elected to terms of two years. The districts for which the County Council Members shall be elected to an initial term of two years shall be determined by lot by the Board of Elections. At all municipal elections thereafter, all district County Council Members shall be elected to terms of four years.

**SECTION 4. Contingent amendment of Article 201 of the Administrative Code of Allegheny County.**

Immediately upon certification by the Board of Elections that the Charter amendment delineated within Section 2 of this Ordinance has been approved by the voters of Allegheny County, the Administrative Code of Allegheny County shall be amended and supplemented by the creation of a new §5-201.06, entitled "Term limits" and comprised as follows:

**§5-301.11. Term limits.**

Effective January 1, 2026, no person shall be elected or appointed to more than three terms as an independently elected County official. For the purposes of this Section:

- A. The following shall be considered a term of office for purposes of the term limitations set forth in Article III of the Home Rule Charter of Allegheny County:
  - 1. Any appointment or election of an individual to serve as an independently elected County official to fill a vacancy with an unexpired term of more than two years; or
  - 2. Any term of office during which an individual resigns or is removed from office; or
  - 3. Any term of office of two years or greater previously completed by an independently elected County official who is no longer seated as of December 31, 2025.
- B. The appointment or election of an individual to serve as an independently elected County official to fill a vacancy with an unexpired term of two years or less shall not be considered a term of office for purposes of the term limitations set forth in Article III of the Home Rule Charter of Allegheny County.
- C. Regardless of length, no term of office served by an individual as one independently elected County official shall be considered a term of office for purposes of the term limitations set forth in Article III of the Home Rule Charter of Allegheny County in the event that such individual seeks election or appointment to any other independently elected County office.
- D. Any term of office in progress as of January 15, 2026 may be completed, regardless of the number of terms of office previously served.

**SECTION 5. Contingent amendment of Article 301 of the Administrative Code of Allegheny County.**

Immediately upon certification by the Board of Elections that the Charter amendment delineated within Section 2 of this Ordinance has been approved by the voters of Allegheny County, the Administrative Code of Allegheny County shall be amended and supplemented by the creation of a new §5-301.11, entitled "Term limits" and comprised as follows:

**§5-301.11. Term limits.**

Effective January 1, 2026, no person shall be elected or appointed to more than three terms as a member of Council representing the same district or at large seat. For the purposes of this Section:

- A. The following shall be considered a term of office for purposes of the term limitations set forth in Article III of the Home Rule Charter of Allegheny County:
  - 1. Any appointment or election of an individual to serve as member of Council to fill a vacancy with an unexpired term of more than two years; or
  - 2. Any term of office during which an individual resigns or is removed from office; or
  - 3. Any term of office of two years or greater previously completed by a member of Council who is no longer seated as of December 31, 2025.
- B. The appointment or election of an individual to serve as a member of Council to fill a vacancy with an unexpired term of two years or less shall not be considered a term of office for purposes of the term limitations set forth in Article III of the Home Rule Charter of Allegheny County.
- C. Any term of office in progress as of January 15, 2026 may be completed, regardless of the number of terms of office previously served.

***SECTION 6. Contingent amendment of Article 401 of the Administrative Code of Allegheny County.***

Immediately upon certification by the Board of Elections that the Charter amendment delineated within Section 2 of this Ordinance has been approved by the voters of Allegheny County, Article 401 of the Administrative Code of Allegheny County shall be amended as follows:

**§ 5-401.05. Term limits.**

No Person shall be elected or appointed to more than three ~~consecutive~~ terms as Chief Executive. For the purposes of this Section:

- A. The appointment or election of an individual to serve as Chief Executive to fill a vacancy with an unexpired term of two years or less shall not be considered a term of office for purposes of the term limitations set forth in Article III of the Charter, provided that such appointment or election is an individual's first appointment or election to that office. Second or subsequent appointments or elections to the office of Chief Executive to fill a vacancy shall be considered a term of office for the purpose of term limit calculation, regardless of their duration.
- B. The appointment or election of an individual to serve as Chief Executive to fill a vacancy with an unexpired term of more than two years shall be considered a term of office for purposes of the term limitations set forth in Article III of the Charter.
- C. Any term of office during which an individual resigns or is removed from office shall be considered a term of office for purposes of the term limitations set forth in Article III of the Charter.
- D. Any term of office of two years or greater previously completed by a Chief Executive who is no longer seated as of December 31, 2025 shall be considered a term of office for purposes of the term limitations set forth in Article III of the Charter.
- E. Any term of office of two years or longer in progress as of January 15, 2026 shall be deemed a Chief Executive's first term for the purpose of computing the term limits applicable to such member.

***SECTION 7.                      Effective Date.***

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

***SECTION 8.                      Severability.***

If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.

***SECTION 9.                      Repealer.***

Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

***PRIMARY SPONSOR: COUNCIL MEMBER GRZYBEK***

***CO-SPONSOR: COUNCIL MEMBERS PRIZIO, BONAROTI and FILLAGGI***

*Enacted in Council, this \_\_\_\_\_ day of \_\_\_\_\_, 2025*

*Council Agenda No. \_\_\_\_\_*

\_\_\_\_\_  
**Patrick Catena**  
**President of Council**

*Attest:* \_\_\_\_\_  
**Jared E. Barker**  
**Chief Clerk of Council**

*Chief Executive Office \_\_\_\_\_, 2025*

*Approved:* \_\_\_\_\_  
**Sara Innamorato**  
**Chief Executive**

*Attest:* \_\_\_\_\_