

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

*NO.* \_\_\_\_\_

## ORDINANCE

An ordinance requiring that the Allegheny County Elections Division provide mail-in ballot applications to each individual registered to vote in Allegheny County.

**Whereas**, Act 77 of 2019 expressly allows for the use of mailed in ballots in the voting process in the Commonwealth of Pennsylvania; and

**Whereas**, the capability of mail-in ballots establishes a ready-made option for individuals who wish to exercise their Constitutionally guaranteed right to cast their votes, but who have concerns relating to their health while voting in the crowded environment of a traditional polling place during a widespread contagious disease outbreak; and

**Whereas**, as of April 15, there are over 900 confirmed cases of COVID-19 in Allegheny County; and

**Whereas**, due to community spread and limited capacity for testing, there is also a presumption that there are many other positives cases in the county; and

**Whereas**, in the face of the COVID-19 outbreak and significant potential deleterious effects of the disease on public health, both the Governor of the Commonwealth and the County Chief Executive have declared public health emergencies; and

**Whereas**, when viewed in the context of the same considerations that gave rise to these emergency declarations, it is clear that voting in person could put our poll workers, many of whom are members of our most vulnerable populations, and who are most at risk for the most serious effects of COVID-19 - as well as the general voting public - at risk; and

**Whereas**, individuals wishing to vote via mail-in ballot must submit an application no later than May 26, 2020 and the completed ballot no later than June 2 in order to do so; and

**Whereas**, as of April 13, Allegheny County had 47,313 mail-in and absentee ballot applications submitted online, and another 9,022 paper requests processed as well,

for 56,335 total requests, a number which reflects only about 16% of the number of ballots cast in the last presidential primary (359,800); and

**Whereas**, it is the judgment of Council that widespread use of mail-in ballots would constitute a meaningful step in mitigating the dangers of COVID-19 transmission, as it would alleviate the need for large numbers of individuals to visit the same polling places, and use the same voting equipment; and

**Whereas**, it is accordingly the desire of Council to provide for the use of mailed ballots on the largest scale that is practicable;

***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. Mailed Ballot Applications.***

No later than May 8, 2020, the Allegheny County Elections Division shall mail an application for a “Vote By Mail” ballot to all individuals registered to vote in polling places located within Allegheny County, and who have not yet requested such ballots. Postage for sending and returning such applications shall be paid by Allegheny County.

***SECTION 3. Ballots.***

In accordance with the provisions of Act 77 of 2019, the Allegheny County Elections Division shall provide “Vote By Mail” ballots to all individuals who submit a validly completed application on or before May 26, 2020. Postage for sending and returning such ballots shall be paid by Allegheny County.

***SECTION 4. Authorization; Expenditures.***

- A. The appropriate County officers are hereby authorized to conduct any and all necessary actions to effectuate the intent of this Ordinance.
- B. To the extent that any action(s) taken pursuant to the terms of this Ordinance require amendment of any County budget bill containing appropriations that are

in force as of the effective date of this Ordinance, the Chief Executive shall submit the appropriate amendatory legislation for adoption by Council no later than May 5, 2020.

***SECTION 5. Effective Date of Ordinance.***

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

***SECTION 6. 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 7. 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 HALLAM***

***CO-SPONSORS:***

*Enacted in Council, this \_\_\_\_\_ day of \_\_\_\_\_, 2020,*

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

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**Patrick Catena**  
**President of Council**

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

**Jared E. Barker, Chief Clerk**  
**Allegheny County Council**

*Chief Executive Office \_\_\_\_\_, 2020*

*Approved:* \_\_\_\_\_

**Rich Fitzgerald**  
**Chief Executive**

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

**Sonya Dietz**  
**Executive's Secretary**