

PENNSYLVANIA

COUNTY GOVERNMENT OVERVIEW

Counties

67

Government Form

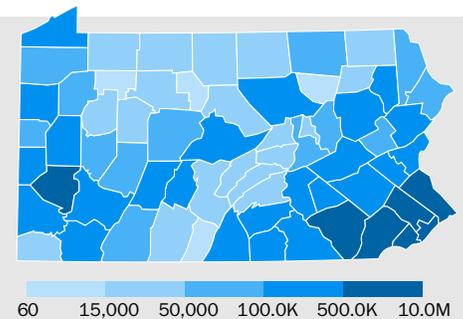
Mixed¹

Governing Body Size

General Law Counties: 3
 Charter Counties: 3 or more

Population (2020)

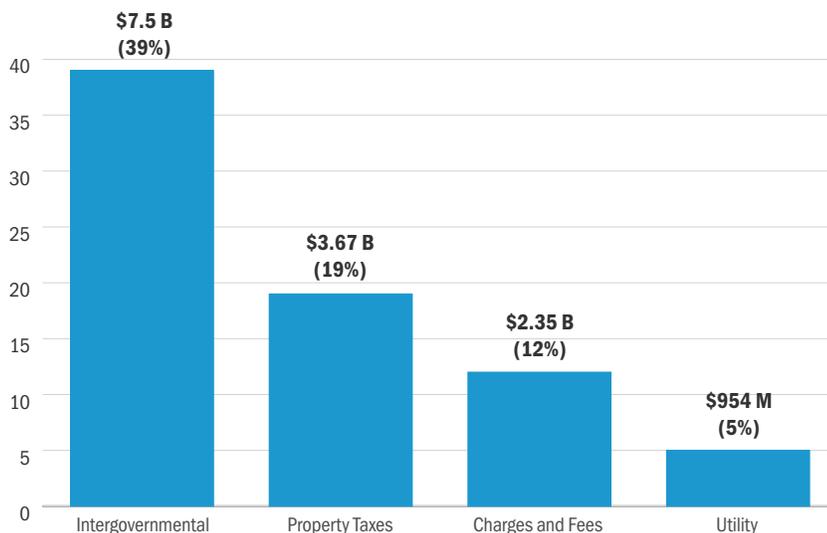
13 million²



County Authority

Mostly Dillon’s Rule with Optional Home Rule: Most Pennsylvania counties are governed under Dillon’s Rule with only the specific powers authorized by state legislature, but the state constitution empowers counties to frame and adopt home rule charters. The adoption, amendment or repeal of a home rule charter must happen by referendum and therefore requires approval by county voters. Counties with home rule charters may exercise any power or perform any function that is not denied by the state constitution, by its home rule charter or by the general assembly of Pennsylvania. Of the 67 counties, eight have adopted home rule charters.

TOP REVENUE SOURCES FOR PENNSYLVANIA COUNTIES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Finance, 2017

¹“Government Form” refers to the distribution of executive decision making authority in a county. “Traditional” county states mandate that counties exercise executive decision making power solely through the board of elected officials (commissioners, supervisors, etc.). “Reformed” county states mandate that counties employ an elected or appointed county executive, manager or similar position to take on at least some of the county’s executive decision making authority. “Mixed” county states means that some counties in that state are “traditional” and some are “reformed.”

²NACo Analysis of U.S. Census Bureau - 2020 Decennial Census

Summary of County Services

Services counties **MUST** provide:

- 911 services
- Courthouses
- Jails
- Elections
- Property assessments
- Human services, in cooperation with the state (children/youth, drugs/alcohol, mental health, nursing homes and more)

Services counties **CAN** provide:

- Housing authorities
- District health departments
- Transportation (especially, bridges)
- Planning / zoning (in cooperation with other local governments)

Services counties **CANNOT** provide:

- Gas and electric utilities
- Create school districts

STRUCTURE/AUTHORITY

SUMMARY

Most of Pennsylvania’s counties are classified as either third, fourth, fifth, six, seventh, eighth class or second class A. Philadelphia is a consolidated city-county government and, with a population over 1.5 million, is the only first class county, while Allegheny is the only second class county with a population between 800,000 and 1.5 million. The main purpose of this classification is to overcome the constitutional prohibition on legislative enactment of “special laws” or laws pertaining to a single governmental unit. County governments are somewhat different based on whether a county has a home rule charter. While non-charter counties have a three-member board of county commissioners that serves as both the executive and legislative decision-making authority, charter counties may choose alternative forms of government, such as a county council, and have the option to elect a chief executive officer.

Row Officers	Elected/ Appointed	Required/ Optional
Auditor	Elected	Mandatory
Comptroller	Elected	Mandatory
Coroner	Elected	Mandatory
Court Clerk	Elected	Mandatory
District Attorney	Elected	Mandatory
Prothonotary	Elected	Mandatory
Recorder of Deeds	Elected	Mandatory
Register of Wills	Elected	Mandatory
Sheriff	Elected	Mandatory
Treasurer	Elected	Mandatory



COUNTY STRUCTURE

Legislative Branch: Non-charter counties are governed by a board of commissioners. Charter counties may have an alternate form of legislative authority, such as a county council, which may have 3 or more members.

Executive Branch: In non-charter counties, the board of commissioners serves as the executive authority. Home rule charter counties have the option of an elected chief executive officer. All counties also have the option of an appointed chief administrator or chief clerk which serves in a management capacity but holds no executive authority.

Judicial Branch: Pennsylvania’s judicial system consist of the superior court and the commonwealth court which serve as the statewide intermediate appellate courts. The superior court reviews civil and criminal cases that are appealed from the courts of common pleas which operate out of 60 judicial districts, each of which serves one or more counties. The courts of common pleas are the primary courts in Pennsylvania and have jurisdiction over misdemeanors and felony criminal cases.

Optional Forms of Government:

- Board of Commissioners
- Charter counties may have an alternate form of governing body and array of row officers.



COUNTY AUTHORITY

Executive Power: In non-charter governments, the board of county commissioners constitutes the chief governing body of the county and has both administrative and policy-making authority. The county commissioners are empowered with selective policy-making authority to provide certain services and facilities on a county-wide basis.

Ability to Form Partnerships: Counties are authorized and encouraged to pursue partnership development and stakeholder collaboration in order to become more flexible in the delivery of public services.

Call a State of Emergency: The governing body of any political subdivision, including counties, may declare a state of emergency if a disaster is happening or imminent. Counties must also establish a local emergency management organization in accordance with the Pennsylvania emergency management agency and are responsible for all emergency response planning and recovery coordination within their territorial limits.

Special Districts: Pennsylvania has close to 1,700 special districts. There are around 13 different types of districts and authorities that serve as independent governments. Some are conditional on the classification of the authorizing city or county.

SERVICES

OVERVIEW OF COUNTY SERVICES

Pennsylvania non-charter counties may have limited autonomy, but they are still authorized by the state legislature to provide many important services. For example, counties provide 911 services, administer elections, manage property assessments, manage jails and courts and support transportation infrastructure. Counties are mostly restricted to their own territorial limits, as municipal authority supersedes that of a county in certain services such as zoning. Furthermore, the state government holds authority over the establishment and coordination over statewide senior care services, welfare administration and services related to road maintenance and construction. Several counties have also developed integrated departments of human services to manage the county's overall human services functions. This protects the county and the citizens from administrative duplication, and it develops strong staffing capacities at the county government level.



HEALTH AND HUMAN SERVICES

County Health Department: Pennsylvania counties may establish health departments and may join with one or more counties to form regional health departments, but most Pennsylvania counties do not have health departments.

Hospitals: Pennsylvania counties cannot establish hospitals.

Senior Care Facilities: It is the responsibility of the state department of aging to coordinate and finance services for seniors. Counties may contribute funds to the 52 Area Agencies on Aging that administer programming and grants for senior services throughout the state.

Mental Health Facilities: It is the joint responsibility of the Pennsylvania department of human services and counties to provide adequate mental health treatment facilities. Counties may administer mental health and developmental disabilities programs either individually or in groups of two or more counties called "joinders."

Child Welfare: Counties must establish children and family support services including but not limited to youth centers, group homes, residential community care centers and child abuse investigations. Pennsylvania counties may be reimbursed by the state for the majority of the costs incurred in the delivery of children and family services.

Welfare: The Pennsylvania department of human services is responsible for the administration of welfare services within the county. The county board of commissioners must reimburse the state department on a monthly basis for the cost incurred from welfare service delivery within the county.



INFRASTRUCTURE

Roads: The Pennsylvania department of transportation may give counties permission to repair roads. Counties have responsibility for fewer than 700 miles of roads and therefore have only a limited role in road administration, however, counties do own and maintain over 4,000 bridges. The department of transportation and municipalities are primarily responsible for maintaining and repairing public roads within the state.

Mass Transit and Paratransit: Larger counties tend to be responsible for fixed route mass transit systems. Smaller counties, however, tend to primarily focus on paratransit needs for transporting seniors and mental health clients.

Utilities: Utilities such as water treatment and solid waste management are a function of municipalities, specific utility authorities and private firms. In addition, the Pennsylvania public utilities commission is responsible for determining state utility policies and regulating rates for electric and gas services.

- **Electric:** Counties are not authorized to provide this service.
- **Gas:** Counties are not authorized to provide this service.

SERVICES, CONTINUED



PUBLIC AMENITIES

Parks and Recreation:

Counties have the authority to provide services related to parks and recreation. A board of commissioners may designate land to be used as a park or for other recreational purposes. The board may also determine the need for a fair board, park board or recreation board to provide supervision of the related services and, if so, must appoint the board members.

Libraries: The county board of commissioners may establish and levy a library tax to provide library services within the county jurisdiction if the local governing body does not already provide the service.

Morgues: County commissioners may buy or lease land to construct and maintain a morgue and thereby to support the duties of the county coroner.



ZONING AND DEVELOPMENT

Zoning Power: Counties are limited in exercising zoning power in areas within their jurisdiction where a municipality has not already passed a zoning ordinance. Municipalities tend to be responsible for land use regulation. Counties, however, are responsible for developing a county-wide comprehensive plan to provide guidance for both county and municipal governing bodies on strategic developments and land use regulations.

Zoning Restriction: County zoning regulations cannot supersede that of a municipality within the county.

Housing Authority: The county board of commissioners may, by resolution, find the need for a housing authority and may appropriate the necessary funds to establish the authority. The authority is then responsible for ensuring safe and sanitary dwellings within the county and for providing a supply of affordable and sufficient housing for low-income residents.

Workforce Development Boards: The Workforce Development Board (WDB) system is divided into 23 regional WDBs that administer a mix of federal, state and local funding within their jurisdictions. Counties may contribute funds to their regional WDB to be administered within their region.



SCHOOLS

Education, Generally: School districts are their own political in Pennsylvania, separate from counties and municipalities. It is the responsibility of the General Assembly to establish an effective public education system and levy the necessary funds to do so. The state board of education is responsible for establishing and enforcing the statewide education policies.

School Boards: Cities and towns form the school board and the school districts within the areas they serve. Counties do not have the ability to create a school board or district.

Community Colleges: Counties may apply to sponsor a community college with the state. If approved, counties may form special districts to levy the necessary taxes. The state board of education must reimburse counties for costs incurred in the creation of the college.

Cooperative Extension Programs: Cooperative extension programs for both youth and adults are funded through a cooperative partnership of federal, state and county appropriations and are available in every county. The programs are based on critical issues identified by citizens who serve on program planning committees at the county level.

SERVICES, CONTINUED



PUBLIC SAFETY

Law Enforcement: Municipalities provide local law enforcement through police departments. County sheriffs are primarily officers of the court, mainly processing and transporting prisoners.

Jails: Pennsylvania counties must fund the establishment of and operation of correctional facilities.

Courthouses: Each county provides and maintains a county courthouse within the county seat. Counties also provide for the trial court system (the courts of common pleas).

Fire: Fire protection agencies and departments are provided by municipalities rather than counties. A county may, however, provide a fire training school.

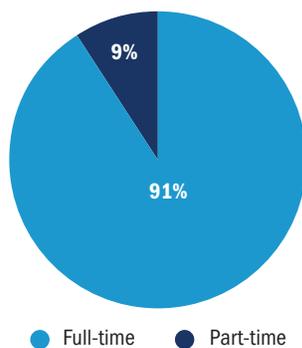
Ambulance: Counties do not provide emergency medical services. The state emergency medical services system is responsible for ambulance services.

Emergency Management Agency: Counties must establish and maintain an emergency management agency and must develop a county emergency management plan and program.

Emergency Communication: Counties must provide 9-1-1 emergency response services to serve all residents in the county area.

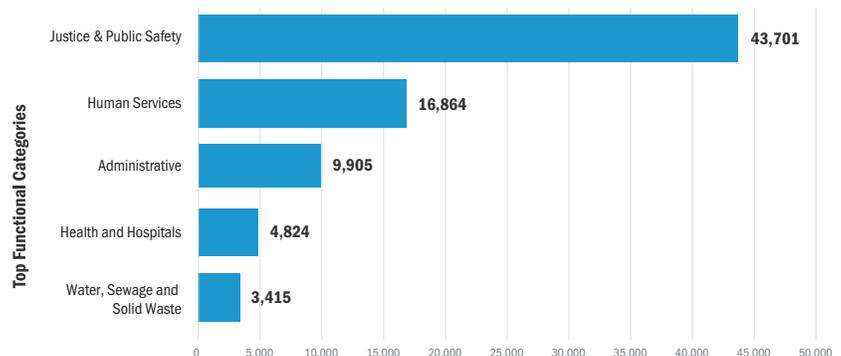
Flood Control: Counties may administer flood prevention by regulating and improving flood control on rivers, storm water drainage systems and other potential flood hazards. Counties may also enter into agreements with the secretary of defense and other public authorities.

PENNSYLVANIA COUNTIES EMPLOY 90,384 GOVERNMENT EMPLOYEES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Employment, 2017

PENNSYLVANIA COUNTY GOVERNMENT EMPLOYEES BY TOP FUNCTIONAL CATEGORIES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Employment, 2017

TAXATION/FINANCES

OVERVIEW OF COUNTY FINANCE STRUCTURE

While some Pennsylvania counties have home rule power, no county can levy any tax unless expressly authorized by the General Assembly. Counties may levy a real estate tax on assessed value of all taxable property as defined in general law. Only Philadelphia and Allegheny counties may levy a general sales tax on all taxable sales and services described in general law. Counties may take on debt to provide county services or improve facilities with the approval of a majority of residents.



FINANCES, TAXES AND LIMITATIONS

Property Tax: Taxes for general county services shall be levied on all annually assessed real estate within the county.

Personal Property: Counties cannot levy taxes on personal property.

Income Tax: Counties cannot impose income taxes.

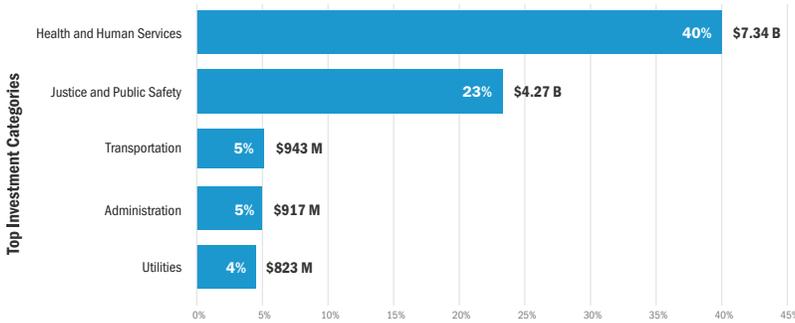
Sales Tax: Only Philadelphia and Allegheny counties may impose a sales and use tax on all applicable goods and services as specified under general law. No other counties within the state may impose a sales tax of any kind.

Mineral Tax: Counties may assess the value of land with coal on it and levy real estate taxes accordingly.

Gas/Fuel Taxes: Counties cannot impose gas or fuel taxes.

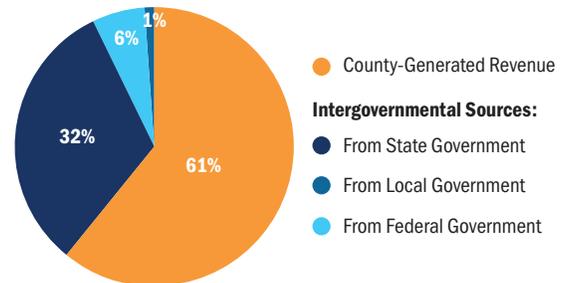
Debt and Debt Limit: Residents of a county may elect to approve bonds that do not exceed 300 percent of the base borrowing power of the county. Counties may also take on an additional 100 percent of debt if the county has undertaken the operation of major services including but not limited public health services, water pollution control, flood control, water supply, sewage and public transportation.

PENNSYLVANIA COUNTIES INVEST \$18.3 BILLION ANNUALLY



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Finance, 2017

PENNSYLVANIA COUNTIES RECEIVE \$7.5 BILLION FROM INTERGOVERNMENTAL SOURCES



Source: NACo Analysis of U.S. Census Bureau - Census of Individual Governments: Finance, 2017