

No. 26-18-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing use of property in the County's South Park for use by the Allegheny County Parks Foundation.

Whereas, The County of Allegheny is the owner of real property in the County's South Park; and

Whereas, The Department of Parks acknowledges that the Allegheny County Parks Foundation has been a valued partner to the County for many years; and

Whereas, The County, by and through its Department of Parks, is requesting the use of the property in the County's South Park for planting new native riparian trees and shrubs and installing large natural stones to stabilize the eroded stream bank along portions of Catfish Run Creek; and

Whereas, The Department of Parks recognizes that these repairs will improve the riparian wildlife habitat and reduce long-term maintenance costs along the stream bank; and

Whereas, The Department of Parks recognizes that the Allegheny County Parks Foundation and the County will jointly design, plan, finance, construct and maintain the riparian habitat; and

Whereas, County Council recognizes that the improvements and additions to the land will inure to the benefit of the citizens of Allegheny County; and

Whereas, Article IV, Section 2(k) of the Allegheny County Home Rule Charter vests County Council with the power and duty by ordinance to lease or permit the use of County real property.

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 as set forth in their entirety herein.

SECTION 2. Authorization to permit the use of County Real Property.

- A. Allegheny County Council hereby approves the use of the property in the County's South Park for planting of new native riparian trees and shrubs and installing large natural stones on the eroded stream bank, along portions of Catfish Run Creek for purposes of improving the riparian wildlife habitat, stabilizing the stream bank and reducing long-term maintenance costs.
- B. The term of this authorization begins on August 13, 2018 and continues through December 31, 2019.
- C. The proper officers of the County are hereby authorized to execute any and all documents necessary to effectuate the authorization granted by this legislation.

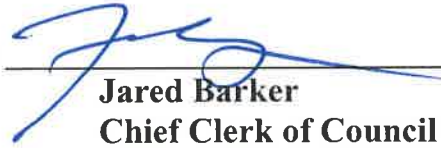
SECTION 3. Severability. *If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance, which shall be in full force and effect.*

SECTION 4. 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.*

Enacted in Council, this 11th day of September, 2018

Council Agenda No. 10719-18


John DeFazio
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office September 13, 2018

Approved: 
Rich Fitzgerald
County Executive

Attest: 
Sonya Dietz
Executive's Secretary

SUMMARY OF LEGISLATION

The attached legislation would permit the Allegheny County Parks Foundation the use of the property in the County's South Park for planting of new native riparian trees and shrubs and installing large natural stones on the eroded stream bank, along portions of Catfish Run Creek for purposes of improving the riparian wildlife habitat, stabilizing the stream bank and reducing long-term maintenance. The authorization begins on August 13, 2018 and continues through December 31, 2019. The appropriate County officers and officials would be authorized to take such action as would be necessary to carry out the purposes of the authorization granted in the legislation.

MEMORANDUM

OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain, CPA
County Manager

DATE: August 16, 2018

RE: Proposed Ordinance

Attached is an Ordinance authorizing use of property in the County's South Park for use by the Allegheny County Parks Foundation.

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

I am requesting that this item be placed on the agenda at the next Regular Meeting of Council.

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