

Bill No. 8958-15

No. 22-15-003

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the continued use of the County's South Park BMX Track facilities owned by the County and to be operated and maintained by South Park BMX, Inc.

Whereas, the County of Allegheny, Department of Parks is desirous of entering into an agreement with South Park BMX, Inc. for the purpose of operating and maintaining the BMX Track located in South Park; and

Whereas, The Department of Parks wishes to continue to permit the use of the BMX Track at South Park by South Park BMX, Inc.; 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 permit the use of County real property; and

Whereas, County Council previously enacted an ordinance authorizing the use of the land in South Park as a BMX track.

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 authorizes and approves the continued use, operation and maintenance by South Park BMX, Inc. of the South Park BMX Track, which includes the operation of the BMX Racing Program at South Park for the period beginning January 1, 2015, and expiring on December 31, 2018, as requested by the County of Allegheny, Department of Parks. County Council hereby does authorize the County's Director of the Department of Parks or his authorized representative or delegate to take any and all actions, including, but not limited to, the execution of a License Agreement authorizing the above use for the period beginning January 1, 2015, and continuing through January 31, 2018, upon an annual payment by South Park BMX, Inc. to the County of \$2,000.00, subject to approval by the

County Manager and County Solicitor, necessary to carry out the authorization of the continued use of the County's property granted herein.

- B. The proper County officers and officials are hereby authorized to take such action as is necessary to carry out the purposes of the authorization granted herein.

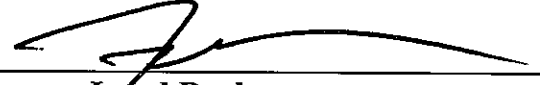
Section 3. Severability. If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.

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 16th day of June, 2015


Council Agenda No. 8958-15


John DeFazio
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office June 25, 2015

Approved: 
Rich Fitzgerald
Chief Executive

Attest: 
Sonya Dietz
Executive's Secretary



ALLEGHENY COUNTY DEPARTMENT OF PARKS

SUMMARY OF LEGISLATION

TO: WILLIAM McKAIN, COUNTY MANAGER
BARBARA M. PAREES, DEPUTY COUNTY MANAGER
STEPHEN E. PILARSKI, DEPUTY COUNTY MANAGER

CC: ANDREW F. SZEFI, COUNTY SOLICITOR

FROM: Andrew G. Baechle, Director of Parks

DATE: May 13, 2015

RE: SOUTH PARK – SOUTH PARK BMX, INC.

The Department of Parks respectfully requests authorization for the purpose of permitting the continued use, operation and maintenance of the BMX Track located in South Park by South Park BMX, Inc.

Please do not hesitate to contact Andrew Baechle at 412-350-2460 if you have any questions or need additional information.

AGB/lg

MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: May 14, 2015

RE: Proposed Ordinance

Attached is an Ordinance authorizing the continued use of the County's South Park BMX Track facilities owned by the County and to be operated and maintained by South Park BMX, Inc.

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.

ALLEGHENY COUNTY
COUNCIL
MAY 14 '15 11:51AM