

*No. 27-16-OR*

**AN ORDINANCE**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing the grant of a temporary license agreement to Riverlife, in conjunction with Pittsburgh Downtown Partnership, for the purpose of creating a light display on the Rachel Carson Bridge (9<sup>th</sup> Street) Bridge in conjunction with the City of Pittsburgh's Bicentennial Celebration known as "Pittsburgh 200" beginning October 1, 2016.

**Whereas**, Article IV, Section 2 (k) of the Allegheny County Home Rule Charter vests the County Council with the power and duty by ordinance to permit the use of County land, buildings or other real or personal property owned by the County; and

**Whereas**, The County owns and maintains the Rachel Carson (9<sup>th</sup> Street) Bridge (the "**Bridge**"); and

**Whereas**, Riverlife, a Pennsylvania non-profit corporation, [Licensee"] desires to organize and erect a temporary light display on the Bridge (the "Light Display") as part of the City of Pittsburgh Bicentennial Celebration known as "Pittsburgh 200" beginning on October 1, 2016 and lasting for a period of 120 days [the "Display Time"] and

**Whereas**, Riverlife will require a license for the erection, supervision and operation of the Light Display including removal of the equipment, fixtures and structures at the conclusion of the Display Time; and

**Whereas**, the Council of Allegheny County is of the belief that authorizing a license to Riverlife to occupy and use the Bridge will inure to the enjoyment and benefit of the citizens of the County and serve to nationally and internationally promote the City of Pittsburgh, County of Allegheny and surrounding region.

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

***SECTION 1. Incorporation of 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 for use of County-Owned Property.***

County Council does hereby authorize and approve the grant of a license to use and occupy the Bridge during the Display Time to facilitate Licensee's erection, supervision and operation of the Light Display including cleanup and removal of the the equipment, fixtures and structures at the conclusion of the Display Time. The Display Time may include other dates and times as mutually agreed in the event there is a need to reschedule due to weather, scheduling conflicts or other unforeseen circumstances. County Council does hereby authorize the County's Chief Marketing Officer, in conjunction with the Director of the Department of Public Works or their authorized representatives, to take any and all actions including, but not limited to, the execution of a license agreement or other documents, necessary to carry out the authorization of the use of County property for the purpose herein granted, subject to the approval of the County Manager and the County Solicitor.


***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 5<sup>th</sup> day of July, 2016

Council Agenda No. 9709-16

  
John DeFazio  
President of Council

Attest:   
Jared Barker  
Chief Clerk of Council

Chief Executive Office July 7, 2016

Approved:   
Rich Fitzgerald  
Chief Executive

Attest:   
Sonya Dietz  
Executive's Secretary

## **SUMMARY**

The County owns and maintains the Rachel Carson (9<sup>th</sup> Street) Bridge (the "Bridge"). Riverlife ("Licensee"] desires to erect a Light Display on the Bridge celebrating the "City of Pittsburgh's Bicentennial Celebration known as "Pittsburgh 200". Licensee will erect the Light Display beginning October 1, 2016 and it will continue throughout the Holiday Season for a period of 120 days (the "Event"). To host the Event, Licensee requires a license to set up, manage and supervise the Event and to clean up the Bridge after the Event.

The Law Department, in conjunction with the Department of Public Works, will negotiate and draft a License Agreement to be approved by the County Manager, which shall contain appropriate insurance and indemnification language.

**MEMORANDUM**  
**OFFICE OF THE COUNTY MANAGER**

TO: Jared E. Barker  
Allegheny County Council

FROM: William D. McKain CPA  
County Manager

DATE: June 16, 2016

RE: Proposed Ordinance

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Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing the grant of a temporary license agreement to Riverlife, in conjunction with Pittsburgh Downtown Partnership, for the purpose of creating a light display on the Rachel Carson Bridge (9<sup>th</sup> Street) Bridge in conjunction with the City of Pittsburgh's Bicentennial Celebration known as "Pittsburgh 200" beginning October 1, 2016.

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.

2016 JUN 16 AM 10:44  
RECEIVED  
ALLEGHENY COUNTY COUNCIL