

**No. 33-18-OR**

**AN ORDINANCE**

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

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

**Whereas**, The Department of Parks recognizes that the Allegheny County Parks Foundation has many years of experience collaborating with the County on various activities that aid and assist in the improvement, protection, preservation, restoration and maintenance of the County's Parks system; and

**Whereas**, The County, by and through its Department of Parks, is requesting continued use of the property in the County's Boyce Park for purposes of renting office space to the Allegheny County Parks Foundation; and

**Whereas**, County Council recognizes that the use of property by the Parks Foundation for business purposes 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 Boyce Park as a management office by the Allegheny County Parks Foundation.
- B. The term of this authorization begins on October 1, 2018 and continues through September 30, 2021. At the sole discretion of the County, the authorization can be extended through September 30, 2023.

- 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 23<sup>rd</sup> day of October, 2018


Council Agenda No. 10754-18

  
\_\_\_\_\_  
John DeFazio  
President of Council

Attest:   
\_\_\_\_\_  
Jared Barker  
Chief Clerk of Council

Chief Executive Office October 24, 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 to utilize certain Allegheny County-owned real property in the County's Boyce Park as a management office. The authorization begins on October 1, 2018 and continues through September 30, 2021, with the option to extend the authorization through September 30, 2023, at the sole discretion of the County. 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: October 4, 2018

RE: Proposed Ordinance

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Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing use of property in the County's Boyce 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.

2018 OCT -4 AM 11:21  
RECEIVED  
ALLEGHENY COUNTY COUNCIL