

No. 23-19-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the grant of a temporary license agreement to the Epilepsy Association of Western and Central PA for the purpose of staging its 31st Annual Pittsburgh Family Fun Run/Walk for Epilepsy, tailgate party and related activities on the Roberto Clemente (6th Street) Bridge on Saturday, July 13, 2019.

Whereas, The County owns and maintains the Roberto Clemente (6th Street) Bridge (hereinafter the “Bridge”); and

Whereas, Epilepsy Association of Western and Central PA (hereinafter “EAWCP” or “Licensee”) desires to organize, coordinate, facilitate and host its 31st Annual Pittsburgh Family Fun Run/Walk for Epilepsy and post-event tailgate party on the Bridge (hereinafter the “Event”) on Saturday, July 13, 2019 (hereinafter the “Event Time”); and

Whereas, the Licensee will require a license for the setup, administration, management, supervision, operation, coordination and hosting of the Event, including cleanup and removal of the Event’s exhibits, concessions, stands and other structures at the conclusion of the Event; and

Whereas, the County is of the belief that authorizing a non-exclusive license to EAWCP to occupy and use the Bridge will inure to the enjoyment and benefit of the citizens of the County and surrounding region; 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 and personal property.

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 in their entirety herein.

SECTION 2. Authorization of Use of County-Owned Property

- A. County Council does hereby authorize and approve the grant of a non-exclusive license to use and occupy the Bridge during the Event Time to facilitate Licensee’s set-up, administration, management,

supervision, operation, coordination and hosting of the Event, including cleanup and removal of the Event's exhibits, concessions, stands and other structures and personnel from the Bridge at the conclusion of the Event. The Event 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.

- B. The proper officers of the County are hereby authorized to negotiate and execute any and all documents necessary to effectuate the use of the Bridge relating to the Event.


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 continue 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 2nd day of July, 2019

Council Agenda No. 11129-19


John DeFazio
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office July 8, 2019

Approved: 
Rich Fitzgerald
County Executive

Attest: 
Sonya Dietz
Executive's Secretary

SUMMARY OF LEGISLATION

The attached legislation would permit the Epilepsy Association of Western and Central PA to stage its 31st Annual Pittsburgh Family Fun Run/Walk for Epilepsy and post-event tailgate party on the Roberto Clemente (6th Street) Bridge on Saturday, July 13, 2019.

The Law Department, in conjunction with the Office of Marketing & Special Events and Department of Public Works, will negotiate and draft a Temporary License Agreement to be approved by the County Manager, which shall contain appropriate insurance and indemnification language. The Epilepsy Association of Western and Central PA shall be responsible for obtaining all permits at its cost, as well as for the installation, maintenance and removal of the staging, concession areas and other equipment and fixtures. Epilepsy Association of Western and Central PA will be required to provide insurance and indemnify the County against any claims, as well as to reimburse the County for its out-of-pocket costs.

M E M O R A N D U M
OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: June 13, 2019

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the grant of a temporary license agreement to the Epilepsy Association of Western and Central PA for the purpose of staging its 31st Annual Pittsburgh Family Fun Run/Walk for Epilepsy, tailgate party and related activities on the Roberto Clemente (6th Street) Bridge on Saturday, July 13, 2019.

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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