

Bill No. 2797-06

No. 36-06-OR

AN ORDINANCE

An Ordinance amending Section 880-1, *et seq.*, of the Allegheny County Code of Ordinances by deleting the restriction applicable to within fifteen feet of the entrance to any Enclosed Area where smoking is prohibited.

WHEREAS, on October 4, 2006, the Chief Executive signed Bill No. 2705-06, which will become effective January 2, 2007 as Sections 880-1 through 880-6 of the Allegheny County Code of Ordinances; and

WHEREAS, the Chief Executive and County Council believe that the following amendment will clarify the applicability of the recently enacted Allegheny County smoke free legislation to certain locations within the County at which fifteen foot smoke free zones cannot be created outside entrances;

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 in their entirety herein

SECTION 2. Amendment of Section 880-2.

Section 880-2 of the Allegheny County Code of Ordinances is hereby amended as follows:

§880-2. Smoking Prohibited.

- (a) No person shall smoke or possess a lit tobacco smoke producing instrument in any of the following locations, except as provided in Section 880-02(b) of this Chapter:

* * *

- (6) Outdoors within five (5) feet of any entrance or in any location that blocks any entrance to any Enclosed Area in which smoking is prohibited under the terms of this Section.

* * *

SECTION 3. Effective Date.

This Ordinance shall take effect upon the effective date of Ordinance No. 23-06-OR.


SECTION 4. Severability. *If any provision of the 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 5. Repealer. *Any ordinance or any part of an Ordinance conflicting with the provisions of this Ordinance is hereby repealed to the extent of such conflict.*

Enacted in Council, this 21st day of November, 2006

Council Agenda No. 2797-06


Rich Fitzgerald
President of Council

Attest: 
John Mascio
Chief Clerk of Council

Chief Executive Office November 29, 2006

Approved: 
Dan Onorato
Chief Executive

Attest: 
Donna Beltz
Executive's Secretary

Bill No. **2817-06**

No. **37-06-OR**

ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing the use of County owned real property by Voice Stream Pittsburgh for the purpose of placing a cellular antenna on top of the County Office Building.

Whereas, Article IV, Section 2 (k) of the Allegheny County Home Rule Charter vests the County's 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's Department of Public Works is desirous of permitting Voice Stream to use a 20 foot by 20 foot portion of the County Office Building roof, 542 Forbes Avenue located in downtown Pittsburgh for the purpose of constructing and maintaining a cellular antenna for a period of (5) years; and

Whereas, the Council of Allegheny County is of the belief that the authorization of the above-described use of the County's real property will inure to the benefit of the citizens of the County by providing for the protection of the health, safety and welfare of the citizens of the County.

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.

County Council does hereby authorize and approve the installation and maintenance a cellular antenna by Voice Stream on County owned property at 542 Forbes Avenue, County Office Building, as requested by the County's Department of Public Works. Voice Stream will pay the County \$1,800.00 per month for a period of five (5) years. County Council hereby does authorize the County's Director of the Department of Public Works or his authorized representative or delegate to take any and all actions, including, but not limited to, the execution of a license agreement, subject to approval by the County Manager and the County Solicitor, necessary to carry out the authorization of the use of the County's property 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 any part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.*


Enacted in Council, this 21st day of November, 2006.

Council Agenda No. 2817-06.



Rich Fitzgerald
President of Council

Attest: John Mascio
John Mascio
Chief Clerk of Council

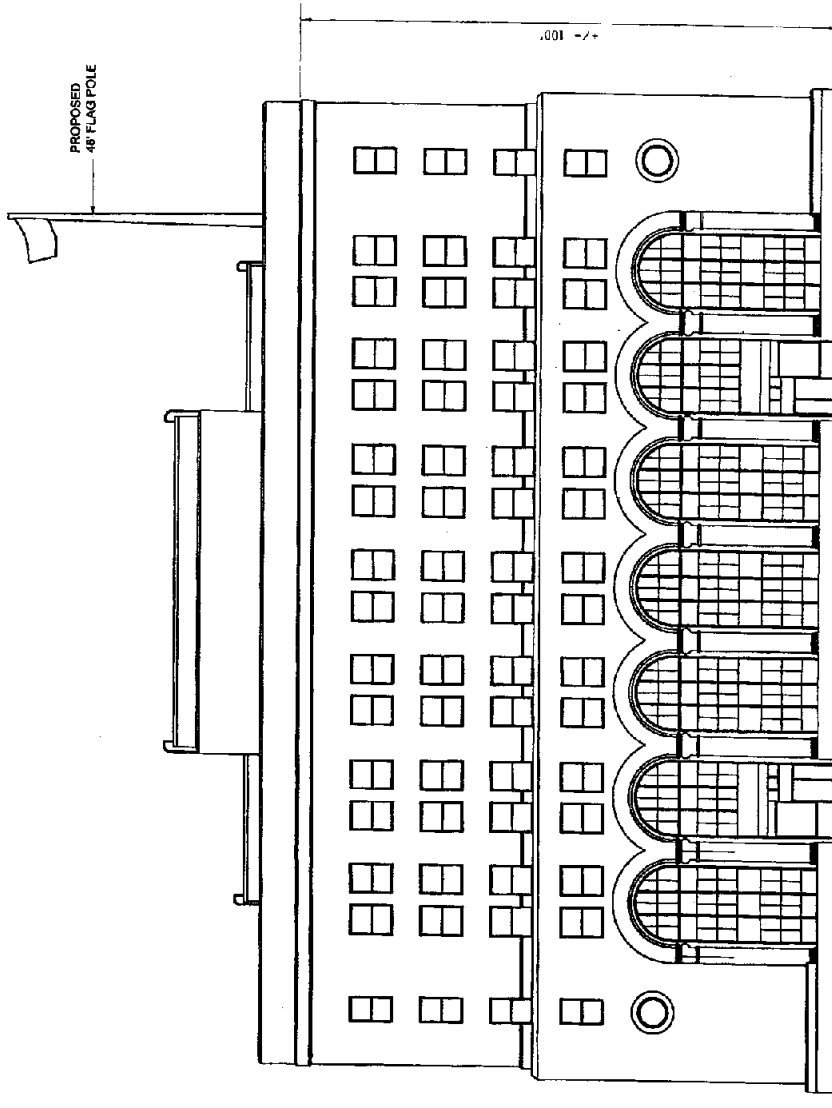
Chief Executive Office  *November 29* 2006

Approved: 
Dan Onorato
Chief Executive

Attest: Donna Beltz
Donna Beltz
Executive's Secretary

License Agreement with Voice Stream Pittsburgh for Cellular antenna

- Agreement is for 5 years, with 5 additional five year options, to place and maintain an antenna on the roof of the County Office Building, 542 Forbes Avenue
- Antenna will be disguised within a 48 foot flag pole/mast
- The County will receive \$1,800 from Voice Stream to take an option on the location, and \$1,800.00 a month once the lease has commenced. The lease rate will increase by 3% per year.
- Voice Stream will pay for all utility and telecommunication costs associated with the operation of the cellular antenna.
- This lease rate was compared to other agreements entered into by Public entities in Washington, Beaver and Philadelphia and found to be comparable or superior.
- All zoning and building permits, including historic clearance, have been received by the Voice Stream.
- The County will not incur any expenses related to the construction and installation of the cellular antenna and related structure.
- County engineers have approved construction plans of the proposed cellular platform and antenna assuring that the integrity of the building is preserved.
- The lease does not preclude the County from entering into agreements with other cellular providers to lease space on the County Office Building or other County-owned facilities.



FORBES AVE ELEVATION

SCALE 1" = 20'

REVISION DESCRIPTION

REV DATE



BERNARDELLI DESIGN ASSOCIATES
2433 BROOKLEIGH ROAD
PHILADELPHIA, PA 19117
412.675.3200

LICENSURE

T-Mobile

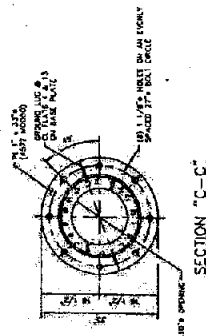
CITY OF PITTSBURGH
COUNTY OFFICE BUILDING
BTS - A4J0003-A - ROOF TOP

ROOF TOP PLAN

SHEET

C3

SCALE 1" = 20' DATE 8-16-06 DRAWN JR



ERECTION VIEW
SCALE ----- NONE

ON THE BASIS OF
ELEVATIONS &
TOWNSHIP OF BOSTON
BOSTON, MASS.

NOTE: ALL
FROM BOTH
VALUES.

[illegible]

48'-0" FLAG POLE T-MOBILE CITY COUNTY BUILDING / AJ4003 PITTSBURGH, PA	MOBILE HQ	14274	0556341
--	-----------	-------	---------

Task	Start	Finish	Duration	Predecessors	Resources
1. MINOR POLE FRAME RE-DESIGN					POLE B/F
2. COMPLETE APPROVALS					POLE B/F
3. COMPLETE APPROVALS					POLE B/F
4. COMPLETE APPROVALS					POLE B/F
5. COMPLETE APPROVALS					POLE B/F
6. COMPLETE APPROVALS					POLE B/F
7. COMPLETE APPROVALS					POLE B/F
8. COMPLETE APPROVALS					POLE B/F
9. COMPLETE APPROVALS					POLE B/F
10. COMPLETE APPROVALS					POLE B/F
11. COMPLETE APPROVALS					POLE B/F
12. COMPLETE APPROVALS					POLE B/F
13. COMPLETE APPROVALS					POLE B/F
14. COMPLETE APPROVALS					POLE B/F
15. COMPLETE APPROVALS					POLE B/F
16. COMPLETE APPROVALS					POLE B/F
17. COMPLETE APPROVALS					POLE B/F
18. COMPLETE APPROVALS					POLE B/F
19. COMPLETE APPROVALS					POLE B/F
20. COMPLETE APPROVALS					POLE B/F
21. COMPLETE APPROVALS					POLE B/F
22. COMPLETE APPROVALS					POLE B/F
23. COMPLETE APPROVALS					POLE B/F
24. COMPLETE APPROVALS					POLE B/F
25. COMPLETE APPROVALS					POLE B/F
26. COMPLETE APPROVALS					POLE B/F
27. COMPLETE APPROVALS					POLE B/F
28. COMPLETE APPROVALS					POLE B/F
29. COMPLETE APPROVALS					POLE B/F
30. COMPLETE APPROVALS					POLE B/F
31. COMPLETE APPROVALS					POLE B/F
32. COMPLETE APPROVALS					POLE B/F
33. COMPLETE APPROVALS					POLE B/F
34. COMPLETE APPROVALS					POLE B/F
35. COMPLETE APPROVALS					POLE B/F
36. COMPLETE APPROVALS					POLE B/F
37. COMPLETE APPROVALS					POLE B/F
38. COMPLETE APPROVALS					POLE B/F
39. COMPLETE APPROVALS					POLE B/F
40. COMPLETE APPROVALS					POLE B/F
41. COMPLETE APPROVALS					POLE B/F
42. COMPLETE APPROVALS					POLE B/F
43. COMPLETE APPROVALS					POLE B/F
44. COMPLETE APPROVALS					POLE B/F
45. COMPLETE APPROVALS					POLE B/F
46. COMPLETE APPROVALS					POLE B/F
47. COMPLETE APPROVALS					POLE B/F
48. COMPLETE APPROVALS					POLE B/F
49. COMPLETE APPROVALS					POLE B/F
50. COMPLETE APPROVALS					POLE B/F
51. COMPLETE APPROVALS					POLE B/F
52. COMPLETE APPROVALS					POLE B/F
53. COMPLETE APPROVALS					POLE B/F
54. COMPLETE APPROVALS					POLE B/F
55. COMPLETE APPROVALS					POLE B/F
56. COMPLETE APPROVALS					POLE B/F
57. COMPLETE APPROVALS					POLE B/F
58. COMPLETE APPROVALS					POLE B/F
59. COMPLETE APPROVALS					POLE B/F
60. COMPLETE APPROVALS					POLE B/F
61. COMPLETE APPROVALS					POLE B/F
62. COMPLETE APPROVALS					POLE B/F
63. COMPLETE APPROVALS					POLE B/F
64. COMPLETE APPROVALS					POLE B/F
65. COMPLETE APPROVALS					POLE B/F
66. COMPLETE APPROVALS					POLE B/F
67. COMPLETE APPROVALS					POLE B/F
68. COMPLETE APPROVALS					POLE B/F
69. COMPLETE APPROVALS					POLE B/F
70. COMPLETE APPROVALS					POLE B/F
71. COMPLETE APPROVALS					POLE B/F
72. COMPLETE APPROVALS					POLE B/F
73. COMPLETE APPROVALS					POLE B/F
74. COMPLETE APPROVALS					POLE B/F
75. COMPLETE APPROVALS					POLE B/F
76. COMPLETE APPROVALS					POLE B/F
77. COMPLETE APPROVALS					POLE B/F
78. COMPLETE APPROVALS					POLE B/F
79. COMPLETE APPROVALS					POLE B/F
80. COMPLETE APPROVALS					POLE B/F
81. COMPLETE APPROVALS				</	

MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: John Mascio
Chief Clerk

FROM: James M. Flynn, Jr.
County Manager

DATE: October 19, 2006

RE: Proposed Ordinance

JA

ALLEGHENY COUNTY COUNCIL

'06 OCT 19 AM 10:41

Attached is an Ordinance authorizing the use of County owed real property by Voice Stream Pittsburgh for the purpose of placing a cellular antenna on top of the County Office Building.

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

Please place this on the next agenda for County Council approval.

Thank you.