

Bill No. 9043-15

No. 27-15-OR

## AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the continued use by the North Hills Council of Governments, hereinafter referred to as the "COG," of a portion of Allegheny County-owned land in North Park as a leaf composting area.

**WHEREAS**, the County of Allegheny, Department of Parks is desirous of entering into a lease agreement with the COG to permit the continued use of a portion of land located in North Park for the purpose of operating and maintaining a leaf composting site for a period of three (3) years, with the County retaining the option at its sole discretion to extend the agreement for an additional two years (the "Lease Agreement"); and

**WHEREAS**, the County deems it in the County's best interest for the COG to continue the above-described use of the County's real property. The authorization of the continued use 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; 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 ordinances authorizing the COG to use of land located in North Park as a leaf composting site.

***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. Authorization for the use of County Real Property.***

- A. Allegheny County Council hereby authorizes and approves the continued use, operation, and maintenance by the COG of a leaf composting site on County-owned property in North Park for the period beginning January 1, 2015 and continuing through December 31, 2017, 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 Lease Agreement authorizing the above-described use for the period beginning January 1, 2015 and continuing through December 31, 2017, with the County retaining the option to extend

the Lease Agreement at its sole discretion for an additional two years, upon annual payment to the County of \$1.00, 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.

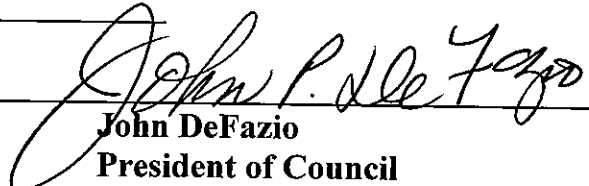
- B. The proper officers of the County are hereby authorized to execute any and all documents necessary to effectuate the use of the property.

**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.*

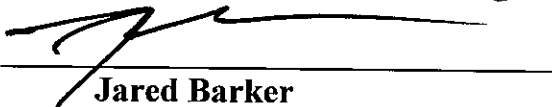
**SECTION 4.** Repealer. *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.*

Enacted in Council, this 18<sup>th</sup> day of August, 2015

Council Agenda No. 9043-15

  
John DeFazio  
President of Council

Attest:

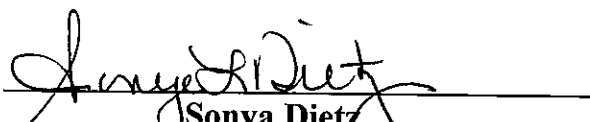
  
Jared Barker  
Chief Clerk of Council

Chief Executive Office September 8, 2015

Approved:

  
Rich Fitzgerald  
County 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. SZEFLI, COUNTY SOLICITOR

**FROM:** Andrew G. Baechle, Director of Parks

**DATE:** June 11, 2015

**RE:** NORTH PARK – NORTH HILLS COUNCIL OF  
GOVERNMENTS

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The Department of Parks respectfully requests authorization by County Council to permit the continued use of a parcel of land located in North Park by the North Hills Council of Governments for the purpose of operating and maintaining a leaf composting site.

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

AGB/lg