

Bill No. 9204-15

No. 32-15-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the Allegheny County Parks Foundation to enter onto the County's Parks for the purpose of constructing and maintaining chimney swift bird habitats at certain locations within the Parks, with the County to retain ownership of the chimney swift bird habitats.

Whereas, the County of Allegheny owns nine regional parks located throughout the County ("the County Parks"); and

Whereas, the County of Allegheny, through its Department of Parks, is desirous of having chimney swift bird habitats constructed and maintained at certain locations within the County Parks; and

Whereas, the Allegheny County Parks Foundation ("the Parks Foundation") has agreed to construct and to maintain the chimney swift bird habitats ("the Improvements") within the County Parks and to donate the Improvements to the County Parks; 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; and

Whereas, Article IV, Section 2(j) of the Allegheny County Home Rule Charter vests County Council with the power and duty by ordinance to accept grants or donations of real or personal 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 Park Property.

County Council does hereby authorize the Allegheny County Parks Foundation to enter onto designated locations within the County's Parks as determined by the Parks Department for the limited purpose of constructing and maintaining the Improvements.

SECTION 3. Authorization to Accept Improvements.

Upon completion of the construction of the Improvements by the Parks Foundation to the satisfaction of the County Parks Department, County Council does hereby authorize the acceptance of the Improvements as County personal property.

SECTION 4. Other Necessary Actions Authorized.


The appropriate County officers and officials are authorized to take such action as necessary to carry out the purposes of this Ordinance.

SECTION 5. 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.

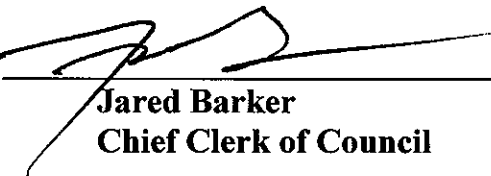
SECTION 6. Repealer. Any Resolution and Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

Enacted in Council, this 4th day of November, 2015

Council Agenda No. 9204-15



John DeFazio
President of Council

Attest: 

Jared Barker
Chief Clerk of Council

Chief Executive Office November 5, 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: September 28, 2015

RE: Construction and Maintenance of Chimney Swift Bird Habitats –
Permit Use and Entry onto County Real Estate and County
Acceptance of Improvements

The Department of Parks respectfully requests authorization to permit the Allegheny County Parks Foundation to enter onto the County's parks for purposes of the construction and maintenance of chimney swift bird habitats, and for the County to accept the improvements upon completion of the same.

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

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: October 1, 2015

RE: Proposed Ordinance

Attached is an ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the Allegheny County Parks Foundation to enter onto the County's Parks for the purpose of constructing and maintaining chimney swift bird habitats at certain locations within the Parks, with the County to retain ownership of the chimney swift bird habitats.

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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RECEIVED
ALLEGHENY COUNTY COUNCIL