

No. 25-18-OR

AN ORDINANCE

An Ordinance authorizing Tim Kaulen, artist, to replace an existing public art display located on the north face of the south tower of the South Tenth Street (Philip Murray) Bridge after the bridge repainting by the County's contractor is completed.

Whereas, Tim Kaulen, with mailing address of 3407 Bethoven Street, Pittsburgh, PA 15219, is a public space artist who currently has a public art display painted atop the north face of the south tower of the South Tenth Street (Philip Murray) Bridge, as depicted in the photograph marked "Exhibit A" and attached hereto (the "Public Art Display"); and,

Whereas, as part of the current rehabilitation of the South Tenth Street Bridge, designated as. County Project No. MA11-3511, Phase 2, (the "Bridge Project") the County's contractor will clean and paint the South Tenth Street Bridge, resulting in the removal of the Public Art Display; and,

Whereas the Allegheny County Council deems it advisable to grant permission to Mr. Kaulen to temporarily occupy the South Tenth Street Bridge under a temporary license agreement either during the Bridge Project or following completion of the Bridge Project as determined by the Department of Public Works for the purposes of repainting his Public Art Display in accordance with what is depicted on Exhibit A (the "Public Art Project"); and,

Whereas, said Public Art Project constitutes a valid public purpose serving the interests of the residents of the County of Allegheny.

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 Replace Public Art Display.

That Council deems it advisable and necessary to authorize Tim Kaulen to temporarily occupy the South Tenth Street Bridge for the sole purpose of replacing the Public Art Display, as depicted in Exhibit A. Nothing stated herein, however, shall be deemed to grant Mr. Kaulen any rights in the Public Art Display other than may already exist under current law.

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 10th day of July, 2018

Council Agenda No. 10698-18



John DeFazio
President of Council

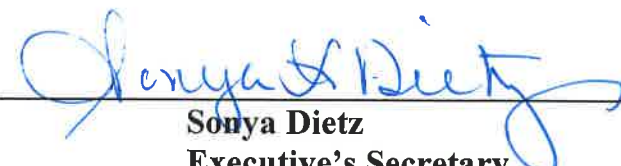
Attest: 

Jared Barker
Chief Clerk of Council

Chief Executive Office July 11, 2018

Approved: 

Rich Fitzgerald
County Executive

Attest: 

Sonya Dietz
Executive's Secretary

SUMMARY OF ORDINANCE

The County's contractor will remove an existing public art display, located on the north face of the south tower of the South Tenth Street Bridge, as part of its contract to reconstruct the bridge.

We seek authorization by County Council, to permit Tim Kaulen, the artist, to replace his public art display after the bridge repainting which will remove the existing display is completed.

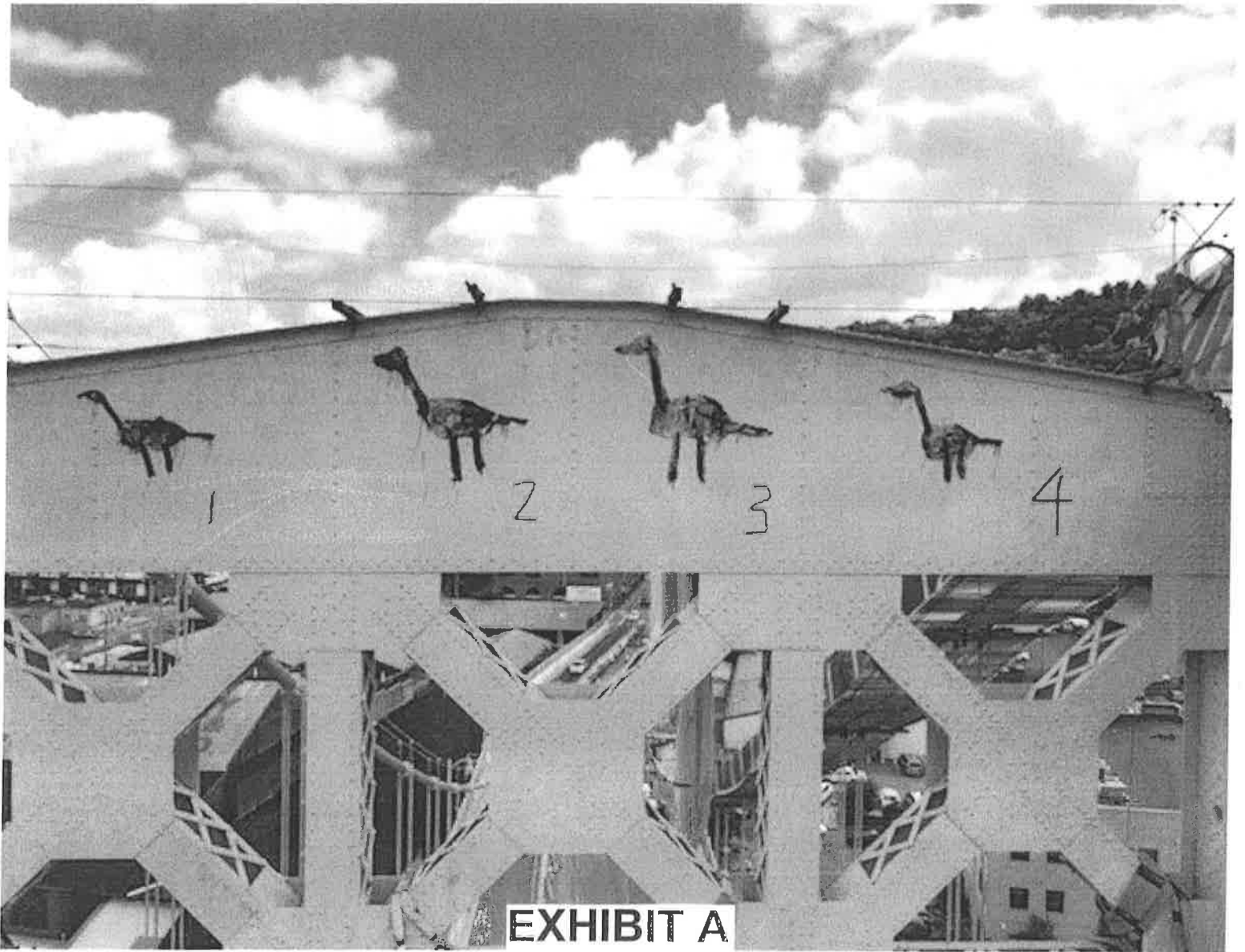


EXHIBIT A