

No. 26-16-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing the grant of a temporary license to The Pittsburgh Three Rivers Regatta, Inc. for the purpose of staging a craft and food vendor market on the Roberto Clemente Bridge (6th Street) Bridge as part of The Three Rivers Regatta Motor Boat and River Festival between Friday, August 5, 2016 and Monday, August 8, 2016.

Whereas, Article IV, Section 2 (k) of the Allegheny County Home Rule Charter vests the County 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 owns and maintains the Roberto Clemente (6th Street) Bridge (the “**Bridge**”); and

Whereas, The Pittsburgh Three Rivers Regatta, Inc. [“**TRG**” or “**Licensee**”] desires to organize, coordinate, facilitate and host a craft and food vendor market on the Bridge (the “**Event**”) as part of The Three Rivers Regatta Motor Boat and River Festival (the “**Festival**”) between Friday, August 5, 2016 and Monday, August 8, 2016 [the “**Event Time**”]; and

Whereas, TRG will require a license for the 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 at the conclusion of the Festival; and

Whereas, the Council of Allegheny County is of the belief that authorizing a license to TRG to occupy and use the Bridge will inure to the enjoyment and benefit of the citizens of the County and serve to nationally and internationally promote the City of Pittsburgh, County of Allegheny and surrounding region.

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 for use of County-Owned Property.

County Council does hereby authorize and approve the grant of a temporary 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. County Council hereby does authorize the County's Chief Marketing Officer in conjunction with the Director of the Department of Public Works or their authorized representatives to take any and all actions, including, but not limited to, the execution of a license agreement or any other documents, necessary to carry out the authorization of the use of the County's property for the purpose granted herein, subject to the approval of the County Manager and the County Solicitor.

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.*

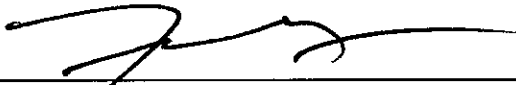
Section 4. Repealer. *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.*

Enacted in Council, this 5th day of July, 2016.

Council Agenda No. 9708-16.



John DeFazio
President of Council

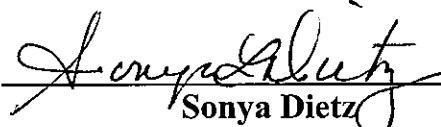
Attest: 

Jared Barker
Chief Clerk of Council

Chief Executive Office July 7, 2016.

Approved: 

Rich Fitzgerald
Chief Executive

Attest: 

Sonya Dietz
Executive's Secretary

SUMMARY

The County owns and maintains the Roberto Clemente (6th Street) Bridge (the “**Bridge**”). The Pittsburgh Three Rivers Regatta, Inc. (“**Licensee**”) desires to host a craft and food vendor market on the Bridge as part of The Three Rivers Regatta Motor Boat and River Festival between Friday, August 5, 2016 and Monday, August 8, 2016 (the “**Event**”). To host the Event, Licensee requires a temporary license to set up, manage and supervise the Event and to clean up the Bridge after the Event.

The Law Department, in conjunction with the Department of Public Works, will negotiate and draft a License Agreement to be approved by the County Manager, which shall contain appropriate insurance and indemnification language.

MEMORANDUM

OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: June 16, 2016

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing the grant of a temporary license to The Pittsburgh Three Rivers Regatta, Inc. for the purpose of staging a craft and food vendor market on the Roberto Clemente Bridge (6th Street) Bridge as part of The Three Rivers Regatta Motor Boat and River Festival between Friday, August 5, 2016 and Monday, August 8, 2016.

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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ALLEGHENY COUNTY COUNCIL