

Bill No. 8572-14

No. 24-14-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing Real Heaven, Inc. to use certain County-owned real and personal property in connection with filming a motion picture.

Whereas, Real Heaven, Inc. plans to film a motion picture in Allegheny County tentatively titled "Concussion" starring Will Smith (hereinafter the "Motion Picture"); and

Whereas, Real Heaven, Inc. has requested to use certain County-owned real property situate in and around the Allegheny County Courthouse, County Office Building, former Morgue building, the Carrie Furnace site, and such other sites as mutually agreed and certain personalty owned by the County (collectively the "County Property"), in connection with filming the Motion Picture;

Whereas, the County of Allegheny (hereinafter the "County") has negotiated an agreement with Real Heaven, Inc., which will govern Real Heaven Inc.'s use of the County Property and will provide specific protections for the County as a result thereof; and

Whereas, the County deems it in the public interest to permit Real Heaven, Inc. to use the County Property; in connection with filming the Motion Picture; 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 and 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 in their entirety herein.

SECTION 2. Authorization for the use of County Real and Personal Property.

- A. Allegheny County Council hereby permits Real Heaven, Inc. to use the County Property in connection with filming the Motion Picture, pursuant to the terms of an agreement between Real Heaven, Inc. and the County; and

B. The proper officers of the County are hereby authorized to execute any and all documents necessary to effectuate the use of the County Property relating to the filming of the Motion Picture.

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 November, 2014

Council Agenda No. 8572-14



John DeFazio

President of Council

Attest: 

Jared Barker
Chief Clerk of Council

Chief Executive Office November 13, 2014

Approved: 

Rich Fitzgerald
County Executive

Attest: 

Sonya Dietz
Executive's Secretary

SUMMARY OF LEGISLATION

The attached legislation would permit Real Heaven, Inc., an affiliate of Sony/Columbia Motion Pictures to use certain County owned real situate in and around the Allegheny County Courthouse, the County Office Building, the former morgue building, the Carrie Furnace site and such other sites as mutually agreed and certain personal property [including but not limited to courtroom chairs, benches and a light fixture, from the old morgue building, currently in storage) in connection with filming a motion picture starring Will Smith which tells the story of former Allegheny County forensic neuropathologist Dr. Bennet Omalu and his role in discovering the neurological disorder CTE in a professional football player (Mike Webster).

MEMORANDUM

OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: ^{WDM} William D. McKain CPA
County Manager

DATE: October 16, 2014

RE: Proposed Ordinance

Attached is an Ordinance authorizing Real Heaven, Inc. to use certain County-owned real and personal property in connection with filming a motion picture.

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.

OCT16'14 11:17AM