

No. 35-16-OR

AN ORDINANCE

Ordinance of the County of Allegheny authorizing the transfer of custody of certain County photographs to the Historical Society of Western Pennsylvania to allow for their maintenance and preservation at no cost to the County under preservation guidelines established by the Society of American Archivists and for public access to these records at the Senator John Heinz History Center

Whereas, on April 21, 2015, County Council passed a bill which became Ordinance No. 13-15-OR; and

Whereas, Ordinance No. 13-15-OR authorized the transfer of custody of: (1) official minutes of meetings of the Allegheny County Board of Commissioners from January 23, 1868 through December 27, 1999 and (2) document books of the Allegheny County Institution District from 1940 through 1977 to the Historical Society of Western Pennsylvania, doing business as the Senator John Heinz History Center, hereinafter the "HHC," to allow for the maintenance and preservation of these County records at no cost to the County under preservation guidelines established by the Society of American Archivists and for public access to these records at the Senator John Heinz History Center; and

Whereas, the County is in possession of approximately 32,000 photographs, many of which were taken during the period from the 1920s to the 1960s, which are in danger of deterioration due to lack of proper accommodations needed to maintain and preserve them; and

Whereas, the HHC is willing to serve as a custodian of these photographs, to maintain and preserve these photographs at no cost to the County under preservation guidelines established by the Society of American Archivists and to provide public access to these photographs at the HHC; and

Whereas, Article IV, Section 2, Subsection k of the County's Home Rule Charter requires that the Allegheny County Council approve an ordinance authorizing the use of County personal property; and

Whereas, Allegheny County Council is of the considered opinion that the transfer of custody of the above-described County photographs to the HHC in order to allow for their maintenance and preservation at no cost to the County under preservation guidelines established by the Society of American Archivists and for public access to these photographs at the HHC is in the best interest of the County.

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 of the Transfer of Custody of the County Photographs to the HCC.

A. Acting pursuant to Article IV, Section 2, Subsection k of the County's Home Rule Charter, Allegheny County Council hereby authorizes the transfer of custody of the photographs as listed on the document attached hereto as Exhibit "A," hereinafter "the County Photographs," to the HHC in order to allow the HHC to maintain and preserve the County Photographs at no cost to the County under preservation guidelines established by the Society of American Archivists and to provide public access to the County Photographs at the HHC.

B. The transfer of custody of the County Photographs to the HHC shall be made under such terms and conditions as the County Manager and such other appropriate County officers and officials deem necessary and prudent in order to carry out the purposes of this Ordinance.

C. Nothing in this Ordinance shall be construed or interpreted in any way as granting HHC any ownership interest whatsoever in the County Photographs. Ownership of the County Photographs shall remain at all times with the County.

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.

SECTION 5. Effective Date.

This Ordinance shall enter into effect immediately.

Enacted in Council, this 18th day of October, 2016

Council Agenda No. 9844-16



John DeFazio
President of Council

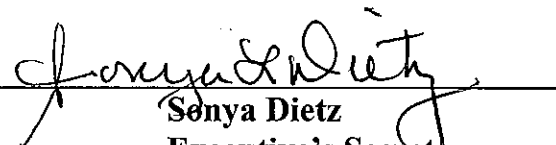
Attest: 

Jared Barker
Chief Clerk of Council

Chief Executive Office October 26, 2016

Approved: 

Rich Fitzgerald
Chief Executive

Attest: 

Sonya Dietz
Executive's Secretary

Summary

On April 21, 2015, County Council passed a bill which became Ordinance No. 13-15-OR. This ordinance authorized the transfer of custody of: (1) official minutes of meetings of the Allegheny County Board of Commissioners from January 23, 1868 through December 27, 1999 and (2) document books of the Allegheny County Institution District from 1940 through 1977 to the Historical Society of Western Pennsylvania, doing business as the Senator John Heinz History Center, hereinafter the "HHC," to allow for the maintenance and preservation of these County records at no cost to the County under preservation guidelines established by the Society of American Archivists and for public access to these records at the Senator John Heinz History Center.

The County is in possession of approximately 32,000 photographs, many of which were taken during the period from the 1920s to the 1960s, which are in danger of deterioration due to lack of proper accommodations needed to maintain and preserve them. The HHC is willing to serve as a custodian of these photographs, to maintain and preserve these photographs at no cost to the County under preservation guidelines established by the Society of American Archivists and to provide public access to these photographs at the HHC.

Because Article IV, Section 2, Subsection k of the County's Home Rule Charter requires that the Allegheny County Council approve an ordinance authorizing the use of County personal property, an ordinance is required to authorize the transfer of custody of these County Photographs to the Heinz History Center. The proposed Ordinance authorizes the transfer of custody of the County Photographs generally listed on Exhibit A to the Heinz History Center under such terms and conditions as the County Manager and such other appropriate County officers and officials deem necessary and prudent. Further, the Ordinance provides that ownership of the County Photographs shall remain at all times with the County.

Number	Container	Number of envelopes (approx.)	Dates
1	file cabinet drawer	200	1932
2	file cabinet drawer	200	1967-1969
3	file cabinet drawer	250	1927
4	file cabinet drawer	150	1927-1934
5	file cabinet drawer	75	1934
6	file cabinet drawer	50	1935
7	file cabinet drawer	100	1934-1935
8	file cabinet drawer	120	1935-1936
9	file cabinet drawer	100	1936-1937
10	file cabinet drawer	125	1938
11	file cabinet drawer	125	1930-1938
12	file cabinet drawer	125	1929-1939
13	file cabinet drawer	125	1939-1940
14	file cabinet drawer	100	1940-1942
15	file cabinet drawer	600	1940-1941
16	file cabinet drawer	600	1941-1943
17	file cabinet drawer	600	1943-1947
18	file cabinet drawer	600	1947-1949
19	file cabinet drawer	600	1949-1955
20	file cabinet drawer	600	1955-1958
21	file cabinet drawer	600	1954-1958
22	file cabinet drawer	600	1959
23	file cabinet drawer	600	1959
24	file cabinet drawer	600	1959-1961
25	22 boxes of glass plates	n/a	
26	file cabinet drawer	600	1961-1962
27	file cabinet drawer	600	1962-1964
28	file cabinet drawer	600	1964-1965
29	file cabinet drawer	600	1965-1966
30	file cabinet drawer	600	1966
31	file cabinet drawer	600	1967-1968
32	file cabinet drawer	600	1968-1969
33	file cabinet drawer	600	1969
34	file cabinet drawer	430	1971
35	file cabinet drawer	430	1971-1972
36	file cabinet drawer	430	1973
37	file cabinet drawer	430	1973-1974
38	file cabinet drawer	430	1974-1975
39	file cabinet drawer	790	1975-1976
40	file cabinet drawer	790	1976-1977
41	file cabinet drawer	790	1977-1978
42	file cabinet drawer	790	1978-1979
43	file cabinet drawer	790	1979-1980
44	file cabinet drawer	790	1980-1981
45	file cabinet drawer	790	1981
46	file cabinet drawer	600	1981-1982

Number	Container	Number of envelopes (approx.)	Dates
47	file cabinet drawer	600	1982
48	file cabinet drawer	600	1983
49	file cabinet drawer	600	1983-1984
50	file cabinet drawer	600	1984
51	file cabinet drawer	600	1984-1985
52	file cabinet drawer	600	1985
53	file cabinet drawer	700	1985-1986
54	file cabinet drawer	700	1986-1987
54a	file cabinet drawer	135	1920s
55	file cabinet drawer	700	1987
56	file cabinet drawer	700	1987
57	file cabinet drawer	700	1988-1989
58	file cabinet drawer	700	1989-1990
59	file cabinet drawer	700	1990-1991
60	file cabinet drawer	700	1991-1993
61	file cabinet drawer	700	1993-1994
62	file cabinet drawer	700	1994-1997
63	file cabinet drawer	700	1997-2003
64	14 boxes of Aerial Photography	n/a	2004
65	graphic prints (from county records)	n/a	c.1950s-1970s
Total Envelopes		32360	

MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: September 29, 2016

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny authorizing the transfer of custody of certain County photographs to the Historical Society of Western Pennsylvania to allow for their maintenance and preservation at no cost to the County under preservation guidelines established by the Society of American Archivists and for public access to these records at the Senator John Heinz History Center.

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.

RECEIVED
ALLEGHENY COUNTY COUNCIL
2016 SEP 29 AM 11:20