

No. 27-06-OR

Bill No. 2780-06

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the transfer of Ownership of a County Police Horse back to the original donors.

Whereas, Section 701.05 (C) of the Administrative Code provides that the County may dispose of any County-owned personal property in a manner approved by the County Manager provided that the personal property has been determined by the County's Controller to have a nominal value; and

Whereas, the County is the owner of "Mac", a County Police horse, that has been used by the County Police Department; and

Whereas, the Superintendent of the Police Department has requested that the ownership of the horse be transferred to the original owners who had donated the horse to the County Police approximately five (5) years ago; and

Whereas, the temperament of the horse is unsuitable for Police work and may create a liability for Allegheny County; and

Whereas, the Controller of Allegheny County has determined that the Police horse in question has only nominal value; and

Whereas, Article IV, Section 2 (k) of the Allegheny County Home Rule Charter provides that County Council may authorize, by ordinance, the conveyance of County-owned real or personal property.

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 to Transfer Ownership of Police Horse

Pursuant to Section 701.05 of the Administrative Code, County Council does hereby authorize and approve the transfer of ownership of the police horse known as "Mac" to the horse's previous owners, James G. and Jeanette A. Bally.

Section 3. The County Manager or his designee is authorized to take any and all further action as may be necessary or proper to carry out the purpose of this Ordinance.

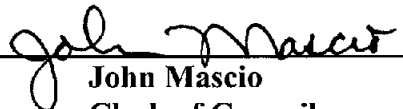
Section 4. Severability. *If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall continue in full force and effect.*

Section 5. Repealer. *Any prior Resolutions or Ordinances or part thereof conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.*

Enacted in Council, this 10th day of October, 2006.

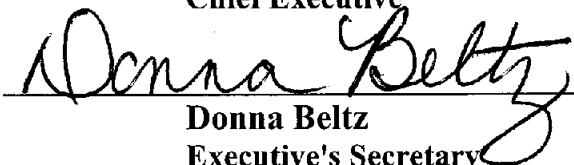
Council Agenda No. 2780-06


Rich Fitzgerald
President of Council

Attest: 
John Mascio
Clerk of Council

Chief Executive Office  October 17, 2006.

Approved: 
Dan Onorato
Chief Executive

Attest: 
Donna Beltz
Executive's Secretary

Summary

This Ordinance will authorize the appropriate County officials to transfer the ownership of a County Policy Horse to its original owners. The County Police Superintendent has determined that this horse is unsuitable for Police work and may create a liability for Allegheny County. The Controller has determined that the Police horse in question has only nominal value.

MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: John Mascio
Chief Clerk

FROM: James M. Flynn, Jr.
County Manager

DATE: September 21, 2006

RE: Proposed Ordinance

ALLEGHENY COUNTY COUNCIL

'06 SEP 21 AM 11:08

Attached is an Ordinance authorizing the transfer of Ownership of a County Police Horse back to the original donors.

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

Please place this on the next agenda for County Council approval.

Thank you.



CHARLES W. MOFFATT
SUPERINTENDENT

County of Allegheny

DEPARTMENT OF POLICE

June 15, 2006

Mr. James McKnight
Office of the Controller
104 Courthouse
436 Grant Street
Pittsburgh, PA 15219

Dear Mr. McKnight:

The following horse is stabled at South Park and is no longer capable of being used for mounted details by the department:

Mac: Magnificent looking animal as well as highly schooled and smooth, but has proved to be too unpredictable and inconsistent to be used for our details.

We are requesting a complete evaluation of Mac or approval to immediately return Mac to his previous owner. See attached memorandum.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'C. W. Moffatt', written over a horizontal line.

Charles W. Moffatt
Superintendent of Police

CWM:las

Attachment

Cc: J. Flynn, Jr., County Manager
G. Zilch, Inspector, Headquarters
(Both with attachment)

ALLEGHENY COUNTY POLICE

TO: Insp. Zilch via Chain of Command

DEPARTMENT: District Two

FROM: P.O. C. Swanson

DEPARTMENT: District Two

DATE: 9 Jun 2006

SUBJECT: Return of Police horse "Mac" to previous owner

As stated in the report dated 6 Apr 2006 concerning the Status / Recommendations for the ACP Mounted Detail, It was recommended that "Mac" be returned to the people who donated him.

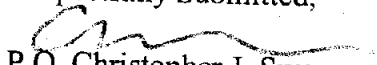
Although "Mac" is a magnificent looking animal, as well as highly schooled and smooth, he has proved to be too unpredictable and inconsistent to be used for our detail. We have been working with him for almost 5 years with mixed results. When he is going well he is wonderful. However, he is a smart horse, and when he decides that he does not want to do something, he will do everything he can to lose his rider (he has dumped me several times in the indoor ring at the police stables and given me a couple of close calls in the park and on a detail).

After several attempts, I was able to find the owners who donated "Mac":

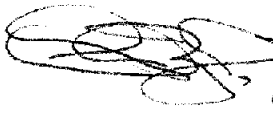
James G. and Jeanette A. Balling
135 Bellmont Circle
Uniontown Pa., 15401
PH# (724) 430-9112

The Ballings stated that they wanted to take him back, and would come to South Park to get him as soon as we were able to release him from ACP service.

Respectfully Submitted,


P.O. Christopher J. Swanson #173
Allegheny County Police




P.O.
6-4-06



County of Allegheny

MARK PATRICK FLAHERTY
CONTROLLER

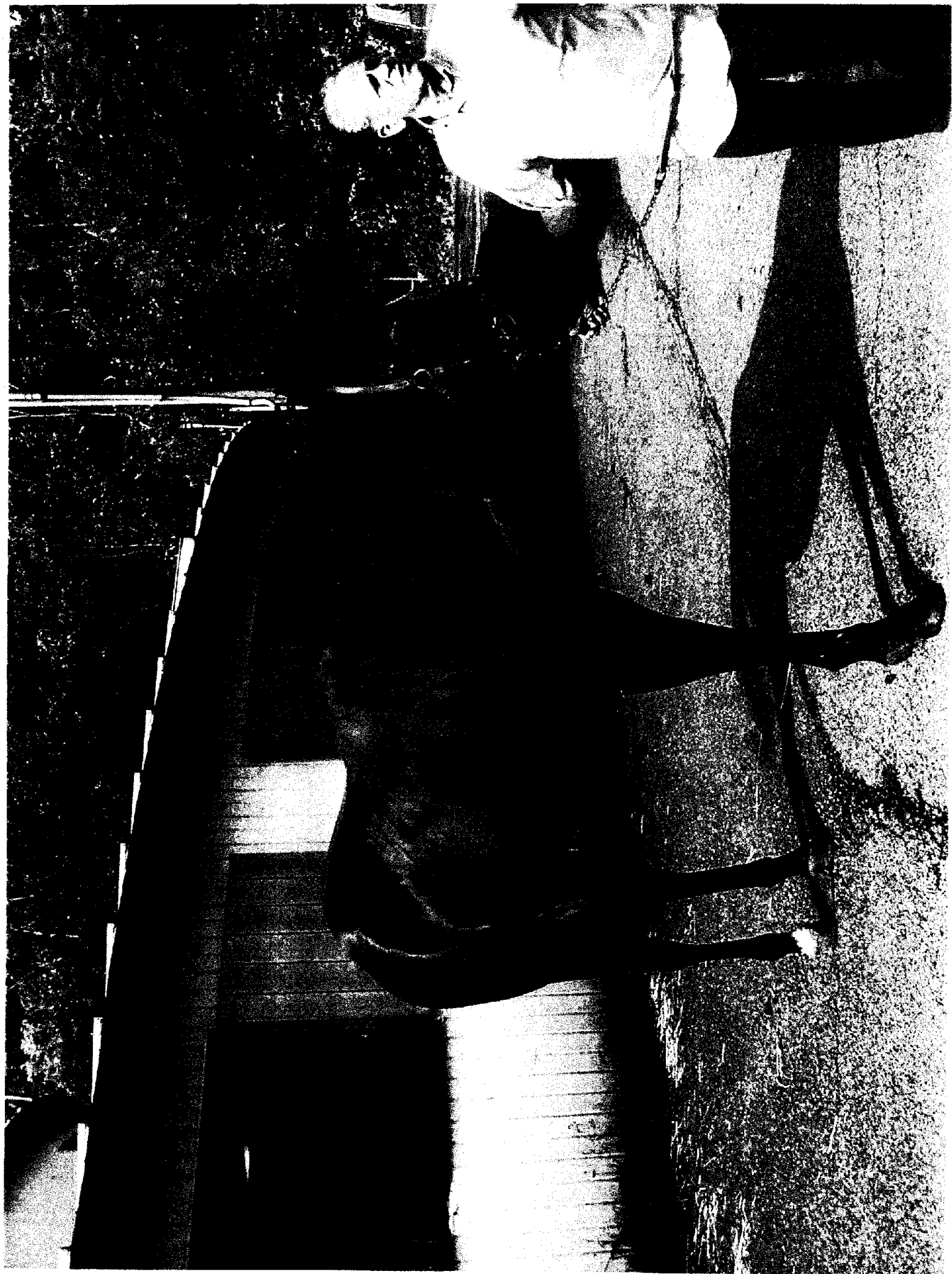
OFFICE OF THE CONTROLLER
104 COURTHOUSE ♦ 436 GRANT STREET
PITTSBURGH, PA 15219-2498
PHONE (412) 350-4660 ♦ FAX (412) 350-4770

GUY A. TUMOLO
DEPUTY CONTROLLER

To: Charles W. Moffatt, Superintendent of County Police
Fr: James McKnight, Controller's Office
Dt: June 28, 2006
Re: Return of Police Horse to Previous Owner

Regarding your memorandum Dated June 15, 2006, the Controller's office concurs with your recommendation that the police horse named (Mac), be returned to the previous owners. After talking to several officers and the Allegheny County Laborer (Mr. Robert Ammon), who trains and takes care of the police horses, it is apparent that the horse is unpredictable and could be a liability to Allegheny County. We also remind you that disposition of county property is subject to approval by county council. If I can be of any other assistance call me at 412- 350 -7150. (See attached Photographs)

Cc: Guy Tumolo, Deputy Controller
Inspector Zilch, Allegheny County Police
file





County of Allegheny

MARK PATRICK FLAHERTY
CONTROLLER

OFFICE OF THE CONTROLLER
104 COURTHOUSE ♦ 436 GRANT STREET
PITTSBURGH, PA 15219-2498
PHONE (412) 350-4660 ♦ FAX (412) 350-4770

GUY A. TUMOLO
DEPUTY CONTROLLER

To: Robert Borgoyne, Allegheny County Law Department
Fr: James McKnight, Controller's Office
Dt: July 12, 2006
Re: Disposition of County Owned Property - County Police Horse (Mac)

Bob, per our conversation, it is my opinion that the County Police Horse named Mac has nominal value and should be disposed of in a manner as directed by the Administrative Code of Allegheny County. As stated in my previous memo dated June 28th, 2006, the horse is a liability to the County and that is why I recommend it be sent back to the original owners. The other alternative would be destruction of the horse (which I believe we are all in agreement this should not be done). If I can be of any other assistance call me at 412 350-7150.

Cc: Guy Tumolo Deputy Controller
file