

No. 01-18-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing South Park BMX, Inc. to use a facility on East Park Drive in the County's South Park.

Whereas, South Park BMX, Inc. is currently using a facility on East Park Drive, near Linhart Drive and adjacent to the South Park Skate Park and has done so for many years, for the purposes of conducting BMX bicycle practices, lessons and event; and

Whereas, South Park BMX, Inc. wishes to continue to use the facility on East Park Drive without interruption; and

Whereas, South Park BMX, Inc. has organized and supervised bicycle events to many people and has maintained and upgraded the facility and has been solely responsible for all insurance and required permits, licenses, etc. for related services;

Whereas, County Council believes that permitting South Park BMX, Inc. to use the designated area in the County's South Park for the use as a bicycle venue will inure to the benefit of the citizens of Allegheny County; 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 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 as set forth in their entirety herein.

SECTION 2. Authorization to permit the use of County Real Property.

- A. Allegheny County Council hereby approves the continued use of a facility on East Park Drive in the County's South Park by South Park BMX, Inc.
- B. The term of this authorization begins on February 1, 2018 and continues through January 31, 2021, with the option to extend the authorization until January 31, 2023 at the sole discretion of the County.

- C. The proper officers of the County are hereby authorized to execute any and all documents necessary to effectuate the authorization granted by this legislation.


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 *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.*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 6th day of February, 2018

Council Agenda No. 10487-18


John DeFazio
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office February 9, 2018

Approved: 
Rich Fitzgerald
County Executive

Attest: 
Sonya Dietz
Executive's Secretary

SUMMARY OF LEGISLATION

The attached legislation would permit South Park BMX, Inc. to use certain Allegheny County-owned real property in the County's South Park – specifically, a facility located on East Park Drive, adjacent to the South Park Skate Park – as a venue to conduct bicycle activities. The authorization begins on February 1, 2018, and continues through January 31, 2021, with the option to extend the authorization until January 31, 2023 at the sole discretion of the County. The appropriate County officers and officials would be authorized to take such action as would be necessary to carry out the purposes of the authorization granted in the legislation.

M E M O R A N D U M
OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: January 18, 2018

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing South Park BMX, Inc. to use a facility on East Park Drive in the County's South Park.

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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