

*No. 29-18-OR*

**AN ORDINANCE**

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

**Whereas**, Cinatit LLC (the “Production Company”) plans to film a motion picture in Allegheny County tentatively titled “Unsinkable” (hereinafter the “Motion Picture”) on or about October 17, 2018 through November 16, 2018; and

**Whereas**, the Production Company has requested to use certain County-owned real property situate in and around Hartwood Acres Park, including the Stable area, the Allegheny County Courthouse and tunnels, and such other sites as mutually agreed (collectively the “County Sites”), and the right to use certain personalty owned by the County (collectively the “County Property”), if needed, in connection with filming the Motion Picture;

**Whereas**, the County deems it in the public interest to permit the Production Company to film on and about the County Sites and use the County Property in connection with filming the Motion Picture pursuant to the terms and conditions of an agreement between County and Production Company ( the “Location Agreement”) which will govern the Production Company’s use of the County Sites and the County Property and will provide specific protections for the 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 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 as set forth in their entirety herein.

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

- A. Allegheny County Council hereby grants Production Company a temporary license to film on and about the County Sites and use the County Property in connection with filming the Motion Picture from October 17, 2018 through November 16, 2018, or on such other dates

as mutually agreed to due weather, scheduling conflicts or other unforeseen circumstances pursuant to the terms of the Location Agreement; and

- B. The proper officers of the County are hereby authorized to negotiate and execute the Location Agreement and any and all other documents necessary to effectuate the use of the County Sites and 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 6<sup>th</sup> day of October, 2018

Council Agenda No. 10783-18

  
\_\_\_\_\_  
John DeFazio  
President of Council

Attest:   
\_\_\_\_\_  
Jared Barker  
Chief Clerk of Council

Chief Executive Office October 11, 2018

Approved:   
\_\_\_\_\_  
Rich Fitzgerald  
County Executive

Attest:   
\_\_\_\_\_  
Sonya Dietz  
Executive's Secretary

## **SUMMARY OF LEGISLATION**

The attached legislation would permit Cinatit LLC to use certain County-owned real and personal property situated in and around Hartwood Acres Park including the Stables, the tunnels underneath the Allegheny County Courthouse, the Fifth Avenue Gate under the archway of the Allegheny County Courthouse, and such other sites as mutually agreed in connection with filming a Motion Picture tentatively titled "Unsinkable," which tells the story of the U.S. Senate inquiry into the sinking of the Titanic.

Tentative filming is scheduled for October 17, 2018 through November 16, 2018 at Hartwood Acres Park and the Allegheny County Courthouse or at such other times and dates as mutually agreed subject to weather and availability. Cinatit LLC will be required to provide insurance and indemnify the County against any claims as well as reimburse the County for its out of pocket costs.

**MEMORANDUM**  
**OFFICE OF THE COUNTY MANAGER**

TO: Jared E. Barker  
Allegheny County Council

FROM: William D. McKain CPA  
County Manager

DATE: September 20, 2018

RE: Proposed Ordinance

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Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing Cinatit LLC 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.

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ALLEGHENY COUNTY COUNCIL  
2018 SEP 20 AM 11:12