

Bill No. 4587-09

No. 03-09-0R

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing use of the County's South Park BMX Track facilities.

Whereas, The County of Allegheny, Department of Parks owns and operates certain recreational and park facilities including the park known as South Park and a BMX Track located therein; and

Whereas, the County desires to permit the use of the BMX track at South Park; 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 in their entirety herein.

SECTION 2. Authorization of a lease for the use of County Real Property

The provisions set forth in the preamble to this Ordinance are incorporated by reference in their entirety herein. County Council does hereby authorize the use of the South Park BMX track by South Park-BMX, Inc. for the operation of the BMX Racing Program at South Park for the term expiring December 31, 2011. The appropriate County officers and officials are authorized to take such action as is necessary to carry out the purposes of the authorization granted herein.

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 Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Resolution.

Enacted in Council, this 17th day of February, 2009,

Council Agenda No. 4587-09

Rich Fitzgerald

Rich Fitzgerald
President of Council

Attest:

John Mascio

John Mascio
Chief Clerk of Council

Chief Executive Office February 24, 2009

Approved:

Dan Onorato

Dan Onorato
Chief Executive

Attest:

Donna Beltz

Donna Beltz
Executive Secretary



ALLEGHENY COUNTY DEPARTMENT OF PARKS

SUMMARY OF LEGISLATION

TO: JAMES M. FLYNN, JR. COUNTY MANAGER
MIKE WOJCIK, COUNTY SOLICITOR
CC: DEREK UBER, ASST. COUNTY MANAGER

FROM: Andrew G. Baechle, Director of Parks

DATE: January 27, 2009

RE: **SOUTH PARK BMX TRACK**

The Department of Parks respectfully requests authorization from County Council to authorize use of the South Park BMX Track by South Park BMX, Inc. for the operation of the BMX Racing Program at the County's South Park, for term expiring December 31, 2011.

The BMX Track provides racing opportunities for both professionals and amateurs; sponsoring local, state and national events, attracting bikers from around the world. All required insurance is on file.

If I can be of any further assistance, please do not hesitate to contact my office at 412.350.2460.

AGB/bah

M E M O R A N D U M

OFFICE OF THE COUNTY MANAGER

TO: John Mascio
Chief Clerk
Do Over for
FROM: James M. Flynn, Jr.
County Manager
DATE: January 29, 2009
RE: Proposed Ordinance

ALLEGHENY COUNTY COUNCIL

'09 JAN 29 AM11:26

Attached is an Ordinance authorizing use of the County's South Park BMX Track facilities.

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.