

*No. 25-19-OR*

**AN ORDINANCE**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing use of property in the County's Settlers Cabin Park for implementation of a multi-use trail and waterfall viewing area in conjunction with the Allegheny County Parks Foundation.

**Whereas**, The County of Allegheny is the owner of real property in the County's Settlers Cabin Park; and

**Whereas**, The Department of Parks acknowledges that the Allegheny County Parks Foundation has been a valued partner to the County for many years; and

**Whereas**, The County, by and through its Department of Parks, is requesting the use of property in the County's Settlers Cabin Park for implementation of a multi-use trail and a waterfall viewing area; and

**Whereas**, The Department of Parks recognizes that the installation of these two features will provide a safe and attractive destination for park patrons; and

**Whereas**, The Department of Parks recognizes that the Allegheny County Parks Foundation and the County will jointly design, plan, finance, construct and maintain both sites; and

**Whereas**, County Council recognizes that the improvements and additions to the land 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 use of the property in the County's Settlers Cabin Park to implement a multi-use trail and a waterfall viewing area.
- B. The term of this authorization begins on July 1, 2019 and continues through June 30, 2020.
- C. The proper officers of the County are hereby authorized to execute 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.***

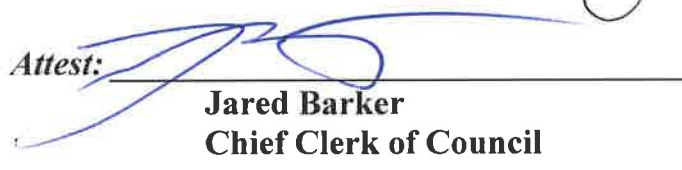
**SECTION 4. Repealer. *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.***

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Enacted in Council, this 10<sup>th</sup> day of September, 2019

Council Agenda No. 11185-19

  
John DeFazio  
President of Council

Attest:   
Jared Barker  
Chief Clerk of Council

Chief Executive Office September 12, 2019

Approved:   
Rich Fitzgerald  
County Executive

Attest:   
Sonya Dietz  
Executive's Secretary

## **SUMMARY OF LEGISLATION**

The attached legislation would permit the Allegheny County Parks Foundation the use of the property in the County's Settlers Cabin Park to implement a multi-use trail and a waterfall viewing area. The authorization begins on July 1, 2019 and continues through June 30, 2020. 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.

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

TO: Jared E. Barker  
Allegheny County Council

FROM: William D. McKain CPA  
County Manager

DATE: August 22, 2019

RE: Proposed Ordinance

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Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing use of property in the County's Settlers Cabin Park for implementation of a multi-use trail and waterfall viewing area in conjunction with the Allegheny County Parks Foundation.

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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