

No. 18-19-OR

AN ORDINANCE

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

Whereas, Netflix Productions LLC (hereinafter the “Production Company”) plans to film a motion picture in Allegheny County entitled “Ma Rainey’s Black Bottom” (hereinafter the “Motion Picture”), based on the play by August Wilson; and

Whereas, the Production Company has requested to use certain County-owned real property situated in and around Deer Lakes Park and such other sites as mutually agreed and certain personality owned by the County (collectively the “County Property”) in connection with filming the Motion Picture; and

Whereas, the County of Allegheny (hereinafter the “County”) has agreed to let the Production Company film the Motion Picture in and around Deer Lakes Park and such other County locations as mutually agreed pursuant to a Location Agreement that will govern the Production Company’s use of the County Property and will provide specific protections for the County; and

Whereas, the County deems it in the public interest to permit the Production Company to use the County Property in connection with filming the Motion Picture; 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 the Production Company the right to use the County Property in connection with filming the Motion Picture, pursuant to the terms of a location agreement to be entered into between the Production Company and the County; and
- B. The proper officers of the County are hereby authorized to negotiate and execute any and all documents necessary to effectuate the use of 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 2nd day of July, 2019

Council Agenda No. 17130-19


John DeFazio
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office July 8, 2018/9

Approved: 
Rich Fitzgerald
County Executive

Attest: 
Sonya Dietz
Executive's Secretary

SUMMARY OF LEGISLATION

The attached legislation would permit Netflix Productions LLC to use certain County-owned real and personal property situated in and around Deer Lakes Park and such other sites as mutually agreed in connection with filming a motion picture entitled "Ma Rainey's Black Bottom," based on the play by August Wilson.

The tentative filming schedule for the motion picture in the region is July 8, 2019, through August 15, 2019. The tentative filming schedule on County Property is July 9-13, 2019, with exact dates to be established and mutually agreed upon pursuant to a Location Agreement that will govern the Production Company's use of the County Property. Netflix Productions LLC will be required to provide insurance and indemnify the County against any claims, as well as to reimburse the County for its out-of-pocket costs.

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: June 13, 2019

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing Netflix Productions 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 RECEIVED