

No. 16-18-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing L.L. Bean Inc. to use property in the County's North Park.

Whereas, L.L. Bean Inc. is currently using property in the County's North Park, and has done so for many years, for the purposes of conducting outdoor activities and instruction, referred to as Outdoor Discovery Programs; and

Whereas, L.L. Bean Inc. wishes to continue to use designated property at the intersection of Babcock Boulevard and Pearce Mill Road in North Park without interruption for purposes of conducting organized kayak and other non-motorized water activities in North Park Lake; and

Whereas, L.L. Bean Inc. wishes to continue to use designated areas within the County's North Park without interruption for purposes of conducting organized outdoor activities and instruction; and

Whereas, L.L. Bean Inc. has organized and supervised activities and instruction for Park patrons and has and has been solely responsible for all insurance and required permits, licenses, etc. for related services;

Whereas, County Council believes that permitting L.L. Bean Inc. to use the designated areas in the County's North Park for outdoor activities and instruction 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 property in the County's North Park by L.L. Bean Inc.
- B. The term of this authorization begins on April 1, 2018 and continues through March 31, 2021.
- 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 8th day of May, 2018

Council Agenda No. 12579-18


John DeFazio
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office May 18, 2018

Approved: 
Rich Fitzgerald
County Executive

Attest: 
Sonya Dietz
Executive's Secretary

SUMMARY OF LEGISLATION

The attached legislation would permit L.L. Bean Inc. to use certain Allegheny County-owned real property in the County's North to conduct outdoor activities and instruction. The authorization begins on April 1, 2018, and continues through March 31, 2021. 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.

MEMORANDUM

OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: April 5, 2018

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing L.L. Bean Inc. to use property in the County's North 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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