

No. 40-16-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing South Park Youth Football, a Pennsylvania nonprofit corporation, to use property within the County's South Park as a concession stand for youth sports fundraising.

Whereas, The County of Allegheny is the owner of real property used as public parklands known as South Park; and

Whereas, a structure, known as the Midway Dairy Building ("Structure"), is located in the parking lot above the South Park Fairgrounds; and

Whereas, South Park Youth Football ("SPYF") desires to use the Structure for purposes of running a concession stand for fundraising for the benefit of its organization; and

Whereas, County Council recognizes that permitting SPYF to use the Midway Dairy Building for purposes of fundraising for a youth sports program 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; and

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.

County Council does hereby authorize SPYF to use the property located in the County's South Park known as the Midway Dairy Building in order to run a concession stand for purposes of fundraising for its organization. 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. Term of Authorization; Extension of Term.

The authorization for use of the County property as set forth in Section 2 above shall commence on August 1, 2016 and shall end on July 31, 2017. Nevertheless, the authorization of the use of the portion of the County park property provided for in this Ordinance may be extended by mutual agreement between the County Parks Department and SPYF for an additional one-year term ending on July 31, 2018, at the option of the Parks Department.


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 9th day of November, 2016

Council Agenda No. 9676-16


John DeFazio
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office November 18, 2016

Approved: 
Rich Fitzgerald
County Executive

Attest: 
Sonya Dietz
Executive's Secretary

SUMMARY OF LEGISLATION

The attached legislation would permit South Park Youth Football (SPYF) to use certain Allegheny County-owned real property in the County's South Park – specifically, the Midway Dairy Building – in order to run a concession stand to conduct fundraising activities beginning on August 1, 2016, and ending on July 31, 2017. The attached legislation would also give the County the option to extend the authorization to SPYF for an additional one-year period ending on July 31, 2018. 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: June 2, 2016

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing South Park Youth Football, a Pennsylvania nonprofit corporation, to use property within the County's South Park as a concession stand for youth sports fundraising.

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
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