

No. 14-19-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the grant of a temporary license agreement to the Delta Foundation of Pittsburgh for the purpose of staging a public festival to be known as the 2019 Pittsburgh PrideFest on the Andy Warhol (7th Street) Bridge between Friday, June 7, 2019, and Sunday, June 9, 2019.

Whereas, Article IV, Section 2 (k) of the Allegheny County Home Rule Charter vests the County Council with the power and duty by ordinance to permit the use of County land, buildings or other real or personal property owned by the County; and

Whereas, The County owns and maintains the Andy Warhol (7th Street) Bridge [the “Bridge”]; and

Whereas, Delta Foundation of Pittsburgh [“Delta” or “Licensee”] desires to organize, coordinate, facilitate and host an event on the Bridge [the “Event”] to be known as “2019 Pittsburgh PrideFest,” which will include vendors, entertainment, food and activities between Friday, June 7, 2019, and Sunday, June 9, 2019 [the “Event Time”]; and

Whereas, the Licensee will require a license for the setup, administration, management, supervision, operation, coordination and hosting of the Event, including cleanup and removal of the Event’s exhibits, concessions, stands and other structures at the conclusion of the Event; and

Whereas, the Council of Allegheny County is of the belief that authorizing a non-exclusive license to Delta to occupy and use the Bridge will inure to the enjoyment and benefit of the citizens of the County and serve to nationally and internationally promote the City of Pittsburgh, County of Allegheny and surrounding region.

The Council of the County of Allegheny hereby enacts as follows:

SECTION 1. Incorporation of 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 of Use of County-Owned Property.

County Council does hereby authorize and approve the grant of a license to use and occupy the Bridge during the Event Time to facilitate Licensee's set-up, administration management, supervision, operation, coordination and hosting of the Event, including cleanup and removal of the Event's exhibits, concessions, stands and other structures and personnel from the Bridge at the conclusion of the event. The Event Time may include other dates and times as mutually agreed in the event there is a need to reschedule due to weather, scheduling conflicts or other unforeseen circumstances.

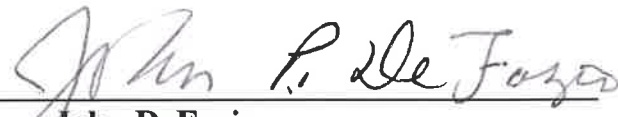
County Council hereby does authorize the County's Chief Marketing Officer in conjunction with the Director of the Department of Public Works or their authorized representatives to take any and all actions, including, but not limited to, the execution of a license agreement or any other documents, necessary to carry out the authorization of the use of the County's property for the purpose granted herein, subject to the approval of the County Manager and the County Solicitor.

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 7th day of May, 2019

Council Agenda No. 11047-15


John DeFazio
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office May 8, 2019

Approved: 
Rich Fitzgerald
Chief Executive

Attest: 
Sonya Dietz
Executive's Secretary

SUMMARY

The County owns and maintains the Andy Warhol (7th Street) Bridge [the “**Bridge**”]. The Delta Foundation of Pittsburgh [“**Delta**” or “**Licensee**”] desires to organize, coordinate, facilitate and host an event on the Bridge to be known as “2019 Pittsburgh PrideFest” [the “**Event**”] between Friday, June 7, 2019, and Sunday, June 9, 2019 [the “**Event Time**”]. To host the Event, Delta will require a license to set up, administer, manage, supervise, coordinate, and facilitate the Event on the Bridge.

The Law Department, in conjunction with the Office of Marketing & Special Events and Department of Public Works, will negotiate and draft a Temporary License Agreement to be approved by the County Manager, which shall contain appropriate insurance and indemnification language. The Licensee shall be responsible for obtaining all permits at its cost, as well as for the installation, maintenance and removal of the staging, concession areas and other equipment and fixtures. The Licensee shall be responsible for reimbursing the County for any out-of-pocket expenses that it may incur.

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: April 18, 2019

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the grant of a temporary license agreement to the Delta Foundation of Pittsburgh for the purpose of staging a public festival to be known as the 2019 Pittsburgh PrideFest on the Andy Warhol (7th Street) Bridge between Friday, June 7, 2019, and Sunday, June 9, 2019.

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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ALSO COUNCIL RECEIVED