

No. 39-18-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing use of real property in the County's Settlers Cabin Park to install and maintain a passive treatment system and to stabilize the streambank at Pinkerton Run stream, in collaboration 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, Allegheny County, by and through its Department of Parks is requesting permission to grant a license to the Allegheny County Parks Foundation for the use of real property in the County's Settlers Cabin Park to implement a passive treatment system to eliminate pollution discharge of abandoned mine drainage and to stabilize 1,000 feet of streambank at Pinkertons Run stream; and

Whereas, The Department of Parks recognizes that the Allegheny County Parks Foundation will design, plan, construct and maintain the site; and

Whereas, The Department of Parks recognizes that the Allegheny County Parks Foundation and the County will jointly finance the project; and

Whereas, The Department of Parks recognizes the environmental benefits of revitalizing and preserving the water quality as well as stabilizing the streambank; and

Whereas, County Council recognizes that the preservation of the County-owned stream and streambank 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 Allegheny County, by and through its Parks Department, to grant a license to the Allegheny County Parks Foundation for the use of real property along Pinkertons Run stream in the County's Settlers Cabin Park to implement and maintain a passive treatment system and to stabilize the streambank.
- B. The term of this authorization begins on November 1, 2018 and continues through December 31, 2020.
- 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 4th day of December, 2018

Council Agenda No. 10837-12


John DeFazio
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office December 5, 2018

Approved: 
Rich Fitzgerald
County Executive

Attest: 
Sonya Dietz
Executive's Secretary

SUMMARY OF LEGISLATION

The attached legislation would permit the County to work collaboratively with Allegheny County Parks Foundation to implement and maintain a passive treatment system and to stabilize the streambank along Pinkertons Run stream in the County's Settlers Cabin Park. The authorization begins on November 1, 2018 and continues through December 31, 2020. 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

RECEIVED
ALLEGHENY COUNTY COUNCIL

OFFICE OF THE COUNTY MANAGER

~~2018 OCT 32~~ AM 11:30

Nov. 1
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TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: November 1, 2018

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing use of real property in the County's Settlers Cabin Park to install and maintain a passive treatment system and to stabilize the streambank at Pinkerton Run stream, in collaboration 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.