

FRIENDS OF THE PARK GUIDELINES

Council of Friends of Boyce Park
Council of Friends of Deer Lakes Park
Council of Friends of Harrison Hills Park
Council of Friends of Hartwood Acres Park
Council of Friends of North Park
Council of Friends of Round Hill Park
Council of Friends of Settlers Cabin Park
Council of Friends of South Park
Council of Friends of White Oak Park



COUNTY OF ALLEGHENY

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I. General Considerations

The various Councils of Friends for the nine County parks were formed by legislative action of the Allegheny County Council in late 2002. The ordinance that formed the Councils of Friends, number 54 of 2002, created the Councils of Friends as advisory bodies and established a list of seven responsibilities for the Councils of Friends, which combine to delineate the Friends councils as entities that facilitate the flow of information between the public and the County with regard to the nine County parks. Ordinance 54-02 does not empower the Councils of Friends to undertake any substantive actions relating to the nine County parks.

The Councils of Friends are designated as County Agencies within the meaning of the Administrative Code of Allegheny County. As a result, the Councils of Friends are bound by all Administrative Code provisions – including the Ethics Code – which apply to County agencies. It must be remembered at all times, however, that the Councils of Friends and individuals appointed to those Councils are not, at any time, to act or present themselves as capable of acting on behalf of Allegheny County, and should never undertake any activity that could be perceived or characterized as political in nature. Neither the Councils nor any members thereof are vested with any authority to bind the County to undertake any action apart from those listed within the enabling ordinance. Neither the Councils nor any members thereof are vested with any authority to enter contractual relationships on behalf of the County.

Allegheny County is the property owner for all nine County parks. The Councils of Friends are not vested with any property rights whatsoever, and may not, under any circumstances, authorize the use of any County park or County-owned facility. Pursuant to the Home Rule Charter of Allegheny County, Article IV, §2(k), any and all leasing, conveying, and permitting the use of County land, property, or other real or personal property must be undertaken through legislative action of the County Council. Any action that a Council of Friends would consider undertaking that relates to leasing park property, permitting the use of Park property, or gifting or donating real or personal property to a County park **must** be authorized in advance by ordinance.

Pursuant to Article 705 of the Administrative Code of Allegheny County, all philanthropic, honorary, and sponsorship naming rights decisions must be made via legislative act of the County Council. The Councils of Friends and individuals appointed thereto are accordingly not to undertake determinations relating to any naming right or sponsorship.

II. Fundraising

The terms of Ordinance 54-02 do not empower the Councils of Friends to undertake fundraising activities on behalf of Allegheny County. Accordingly, no Council of Friends or individual appointed thereto may ever do so. The terms of Ordinance 54-02 do not, however, prohibit the Councils of Friends from raising funds on their own behalf for contribution to Allegheny County for use within the parks. If a Council of Friends or individual appointed thereto opt to pursue this type of fundraising initiative, the following guidelines are to be followed:

1. The Councils of Friends are not empowered to seek tax exempt status.
2. The Councils of Friends must coordinate fundraising activities with the Allegheny County Parks Foundation in order to avoid duplication of effort.

3. Because the Councils of Friends are not empowered to determine what improvements will be made to County owned property, the Councils shall refrain from raising funds for any specific improvement, unless such improvement has already been authorized by the County.
4. The Councils of Friends may only raise funds through special events, rather than by placing donation boxes or similar activities geared toward continuous fundraising. If alcoholic beverages are to be served at any fundraising event, the Council of Friends sponsoring the event must ensure that the appropriate licenses and permits are in place, that all applicable taxes (including the Allegheny County drink tax) are paid, that all required insurance is obtained, and that the event comports to all applicable federal, state and local laws. Alcoholic beverages should not be served at events sponsored by any Council of Friends on County owned property.
5. Councils of Friends are prohibited from operating any small game of chance other than raffles and/or 50/50 drawings on County owned property, regardless of whether such operation is licensed by the Commonwealth of Pennsylvania or any other licensing agency. Councils of Friends are required to comply with all licensing and other requirements in order to operate any permissible small game of chance.
6. Councils of Friends must clearly denote that any fundraising activities are undertaken by the friends group, and not by Allegheny County or the Allegheny County Parks Foundation.
7. All funds raised at Council of Friends sponsored fundraising events must be deposited into a bank account established specifically for the purpose by that Council of Friends. Checks drawn on any account containing funds raised by a Council of Friends must be signed by at least two members of the appropriate Council of Friends. All Councils of Friends must, no later than January 31 of each year, provide County Council's Budget Director and the Director of the Parks Department with a report of all funds raised in the prior calendar year, together with clear descriptions of all purposes for which any and all raised funds have been expended in the prior calendar year.
8. The Councils of Friends shall be responsible for the payment of any and all taxes, fees, and other expenses that result from their fundraising activities.
9. As County agencies, the Councils of Friends that conduct fundraising activities will be required to permit unrestricted access to their financial records by the Allegheny County Controller upon request, which shall not be unreasonably denied.
10. Any Council(s) of Friends shall immediately terminate any fundraising activity upon request by the Allegheny County Council Committee on Parks.
11. No Council of Friends shall ever hold itself or any of its members out to the public as a representative of Allegheny County. No Council of Friends may use the County seal, letterhead, or any other identification suggesting that the Council or any of its appointed members are acting as agents of the County.