

No. 20-18-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the grant of a temporary license agreement to Epilepsy Foundation Western/Central Pennsylvania (EFWCP) for the purpose of staging a public fundraising event and related activities on the Roberto Clemente (6th Street) Bridge to be known as “30th Annual Family Fun Run/Walk for Epilepsy” on Saturday, July 28, 2018.

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 Roberto Clemente (6th Street) Bridge [the “Bridge”]; and

Whereas, EFWCP [the “Licensee”] desires to organize, coordinate, facilitate and host an event on the Bridge [the “Event”] to be known as “30th Annual Family Fun Run/Walk for Epilepsy,” which will include food vendors, entertainment and other activities on Saturday, July 28, 2018 [the “Event Time”]; and

Whereas, the Licensee will require a license for the 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 at the conclusion of the Event; and

Whereas, the Council of Allegheny County is of the belief that authorizing a non-exclusive license to EFWCP to occupy and use the Bridge will inure to the enjoyment and benefit of the citizens of the County and serve to 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 continue 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 5th day of June, 2018

Council Agenda No. 10020-18


John DeFazio
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office June 8, 2018

Approved: 
Rich Fitzgerald
Chief Executive

Attest: 
Sonya Dietz
Executive's Secretary

SUMMARY

The County owns and maintains the Roberto Clemente (6th Street) Bridge [the “**Bridge**”]. Epilepsy Foundation Western/Central Pennsylvania [the “**Licensee**”] desires to organize, coordinate, facilitate and host a public fundraising event on the Bridge to be known as “30th Annual Family Fun Run/Walk for Epilepsy” [the “**Event**”] on Saturday, July 28, 2018 [the “**Event Time**”]. To host the Event, EFWCP 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 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: May 3, 2018

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the grant of a temporary license agreement to Epilepsy Foundation Western/Central Pennsylvania (EFWCP) for the purpose of staging a public fundraising event and related activities on the Roberto Clemente (6th Street) Bridge to be known as "30th Annual Family Fun Run/Walk for Epilepsy" on Saturday, July 28, 2018.

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.

2018 MAY -3 AM 10:44
RECEIVED
ALLEGHENY COUNTY COUNCIL