

No. 04-19-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing use of property in the County's South Park for use as an outdoor educational classroom, in conjunction with the Allegheny County Parks Foundation.

Whereas, The County of Allegheny is the owner of real property in the County's South Park; and

Whereas, The Department of Parks acknowledges that the Allegheny County Parks Foundation has been a valued partner to the County for many years; and

Whereas, The 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 South Park for implementation of an outdoor classroom to be used in conjunction with the South Park Cascades; and

Whereas, The Department of Parks recognizes that the installation of this classroom will provide a valuable educational opportunity for individuals and groups; and

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

Whereas, County Council recognizes that the improvements and additions to the land 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 in the County's South Park to implement an outdoor classroom at the Cascades.
- B. The term of this authorization begins on January 1, 2019 and continues through December 31, 2019.
- C. The proper officers of the County are hereby authorized to execute 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 19th day of February, 2019

Council Agenda No. 10522-15


John DeFazio
President of Council

Attest: 
Jared Barker
Chief Clerk of Council

Chief Executive Office February 21, 2019

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 the Allegheny County Parks Foundation to implement an outdoor classroom on real property known as the Cascades in the County's South Park. The authorization begins on January 1, 2019 and continues through December 31, 2019. 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.

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: January 10, 2019

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing use of property in the County's South Park for use as an outdoor educational classroom, in conjunction 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.

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