File #: 3091-07, **Version:** 1

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing the use of County Land by the North Hills Council of Governments for the purpose of using a parcel of property in North Park as a Leaf Composting Area.

Whereas, Article IV, Section 2 (k) of the Allegheny County Home Rule Charter vests the County's 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's Department of Public Works, Division of Engineering, is desirous of entering into an agreement with the North Hills Council of Governments (hereinafter referred to as "NHCOG"), whereby NHCOG would be permitted to continue using a parcel of property located in North Park for the purpose of operating and maintaining a leaf composting site for a period of (5) years; and

Whereas, the Council of Allegheny County is of the belief that the authorization of the above-described use of the County's real property will inure to the benefit of the citizens of the County by providing for the protection of the health, safety and welfare of the citizens of the County.

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 in their entirety herein.

Section 2. Authorization of Use of County-Owned Property

County Council does hereby authorize and approve the use, operation and maintenance of a leaf composting site by the NHCOG on County owned property at North Park, as requested by the County's Department of Public Works. County Council hereby does authorize the County's Director of the Department of Public Works or his authorized representative or delegate to take any and all actions, including, but not limited to, the execution of an agreement or the amendment of an existing agreement, subject to approval by the County Manager and the County Solicitor, necessary to carry out the authorization of the use of the County's property granted herein.

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. <u>Repealer.</u> 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.

Lease to North Hills Council of Government (NHCOG) - Lease Composting Site

- Renewal of existing license agreement that expired on December 31, 2005 for another five (5) year term at a cost of $1.00 per year to the COG
- Leaf composting site has been operated by the NHCOG since 1991 on a parcel within North Park
- The Composting facilities were built in 1991 from proceeds of a DCNR grant received by the NHCOG
- The County is able to utilize the site to dump composting material and to use compost from the site for County use free of charge
- Compost from the site is made available to municipalities who are members of the North Hills COG

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