



# Allegheny County Council

County of Allegheny  
436 Grant Street  
Pittsburgh, PA 15219  
Phone (412) 350-6490  
Fax (412) 350-6499

## Legislation Text

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**File #:** 10330-17, **Version:** 1

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Ordinance of the County of Allegheny authorizing the transfer of custody of miscellaneous items of County personal property to the Historical Society of Western Pennsylvania to allow for its maintenance and preservation at no cost to the County under preservation guidelines established by the Society of American Archivists and for public access to the miscellaneous items of County personal property at the Senator John Heinz History Center.

**Whereas**, on April 21, 2015, County Council passed a bill which became Ordinance No. 13-15-OR, which authorized the transfer of custody of: (1) official minutes of meetings of the Allegheny County Board of Commissioners from January 23, 1868 through December 27, 1999 and (2) document books of the Allegheny County Institution District from 1940 through 1977 to the Historical Society of Western Pennsylvania, doing business as the Senator John Heinz History Center, hereinafter the “Heinz History Center,” to allow for the maintenance and preservation of these County records at no cost to the County under preservation guidelines established by the Society of American Archivists and for public access to these records at the Heinz History Center; and

**Whereas**, on October 18, 2016, County Council passed a bill which became Ordinance No. 35-16-OR, which authorized the transfer of custody of 32,000 County photographs to the Heinz History Center to allow for the maintenance and preservation of these County photographs at no cost to the County under preservation guidelines established by the Society of American Archivists and for public access to these records at the Heinz History Center; and

**Whereas**, the County is in possession of numerous items of personal property, including, but not limited to, photographic negatives and prints, film (in multiple formats), and volumes of miscellaneous official registers, dockets and other records related to veterans and elections (collectively the “County Personalty”) which are in danger of deterioration due to lack of proper accommodations needed to maintain and preserve them; and

**Whereas**, the Heinz History Center is willing to serve as a custodian of this County Personalty, to maintain and preserve County Personalty at no cost to the County under preservation guidelines established by the Society of American Archivists and to provide public access to these photographs at the Heinz History Center; and

**Whereas**, Article IV, Section 2, Subsection k of the County’s Home Rule Charter requires that the Allegheny County Council approve an ordinance authorizing the use of County personal property; and

**Whereas**, Allegheny County Council is of the considered opinion that the transfer of custody of the County Personalty to the Heinz History Center in order to allow for its maintenance and preservation at no cost to the County under preservation guidelines established by the Society of American Archivists and for public access to these photographs at the Heinz History Center is in the best interest of the County.

***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 of the Transfer of Custody of the County Personalty to the HCC.***

A. Acting pursuant to Article IV, Section 2, Subsection k of the County's Home Rule Charter, Allegheny County Council hereby authorizes the transfer of custody of the County Personalty as listed and described in detail in the document entitled "2017 Heinz History Transfer Elections, Veterans and Photography," which is attached hereto as Exhibit "A," to the Heinz History Center in order to allow the Heinz History Center to maintain and preserve the County Personalty at no cost to the County under preservation guidelines established by the Society of American Archivists and to provide public access to the County Personalty at the Heinz History Center.

B. The transfer of custody of the County Personalty to the Heinz History Center shall be made under such terms and conditions as the County Manager and such other appropriate County officers and officials deem necessary and prudent in order to carry out the purposes of this Ordinance.

C. Nothing in this Ordinance shall be construed or interpreted in any way as granting any ownership interest whatsoever to the Heinz History Center in the County Personalty. Ownership of the County Personalty shall remain at all times with the County.

***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.***

***SECTION 5.       Effective Date.***

This Ordinance shall enter into effect immediately.