

ORDINANCE NO. 1362

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE UNDER THE AUTHORITY OF ACT 252 OF 1982 (SECOND CLASS COUNTY CODE, AS AMENDED) AND THE ACT OF APRIL 13, 1972, NO 62 (53 P.S. SECTION 101, ET. SEC.) AUTHORIZING THE MUNICIPAL MANAGER TO REQUEST RETURN TO THE MUNICIPALITY OF MONROEVILLE THE PORTION OF THE HOTEL ROOM RENTAL TAX TO WHICH IT IS ENTITLED UNDER THE AUTHORIZATION GRANTED BY ACT 252 OF 1982, RECOGNIZING THE CONVENTION VISITORS BUREAU OF GREATER MONROEVILLE, A NON-PROFIT CORPORATION, AS THE NON-PROFIT ORGANIZATION THROUGH WHICH SAID TAX FUNDS ARE DISPERSED FOR THE PURPOSE OF PAYING FOR PROGRAMS DESIGNED AND IMPLEMENTED TO STIMULATE AND INCREASE THE VOLUME OF CONVENTIONS AND VISITORS WITHIN THE MUNICIPALITY, AUTHORIZING THE MUNICIPAL MANAGER TO ACCEPT SAID TAX FUNDS FOR THE PURPOSES SET FORTH HEREIN AND IN SAID ACT, AND AUTHORIZING THE MUNICIPAL MANAGER AND MAYOR TO DISPERSE SAID FUNDS IN ACCORDANCE WITH THE PROVISIONS HEREIN

BE IT ORDAINED AND ENACTED by the Municipality of Monroeville in Council assembled as follows:

Section 1. The Municipality of Monroeville hereby acknowledges that there is located within said Municipality a Convention Center or Exhibition Hall as defined in the Act of July 28, 1953 (P.L. 723, No. 230), known as the Second Class County Code as amended.

Section 2. The Municipality of Monroeville is a Municipality within the definition set forth in said Act.

Section 3. The Municipality of Monroeville hereby authorizes and directs the Municipal Manager of Monroeville to request from the Treasurer of the County of Allegheny return of funds authorized to be returned to the Municipality pursuant to the provisions of the aforementioned Act.

Section 4. The Municipal Manager of Monroeville is hereby authorized to receive such funds from the Treasurer of the County of Allegheny and deposit the same in a special fund of the Municipality established solely for the purpose of paying for promotional programs implemented by a non-profit organization hereinafter designated, designed to stimulate and increase the volume of conventions and visitors within the Municipality.

Section 5. The Municipality of Monroeville hereby recognizes and appoints The Conventon Visitors Bureau of Greater Monroeville, a non-profit corporation, (hereinafter referred to as the "Bureau") organized and existing under the laws of the Commonwealth of Pennsylvania as the designated non-profit organization to which said funds received by the Municipality from the Treasurer of the County of Allegheny shall be paid in accordance with the provisions of this Ordinance hereinafter set forth and in accordance with the Act under which the Municipality is authorized to receive said funds.

Section 6. During the fiscal year 1983 and every fiscal year thereafter (January 1 through December 31) the Board of Directors of the Bureau shall submit to the Municipal Council of the Municipality of Monroeville a proposed budget and marketing plan setting forth the anticipated expenditures for each classification of expenses and the particular marketing plans and programs expected to be implemented by the Bureau during a given fiscal year or thereafter to the extent that such programs or marketing plan as implemented will be conducted over a period larger than a fiscal year.

Section 7. For the fiscal year 1983 the said budget and marketing plan shall be submitted during the month of February and acted upon by the Municipal Council no later than the regular monthly meeting of the Municipal Council on March 8, 1983. For every fiscal year thereafter, the Bureau shall submit to the Municipal Council the budget and marketing plan for the ensuing year no later than November 1 of the year prior to the fiscal year for which the proposed budget and marketing plan are submitted. In the event for any fiscal year the Municipal Council does not approve such budget or marketing plan the same budget for the Bureau shall be in effect for the new fiscal year as was in effect for the previous year. Until said new budget is approved no funds shall be paid by the Municipal Manager or Mayor in excess of any amount allocated for any item or items in the previous year's budget. The Municipal Council shall act upon the budget submitted by the Bureau no later than the regular monthly Municipal Council meeting in March of the new fiscal year of the Bureau.

Section 8. Upon receipt of the funds from the Treasurer of the County of Allegheny, the Municipal Manager is directed to deposit said funds in a special account to be used solely for the purposes herein set forth and as set forth in the Act authorizing the Municipality to receive the funds.

Section 9. On a monthly basis the Bureau shall submit to the Municipal Manager a list of bills with accompanying invoices and/or supporting data indicating the bills have been incurred. The list of bills must have previously been approved for payment by the Board of Directors of the Bureau.

Section 10. Upon receipt of the said list of bills submitted by the Bureau the Municipal Manager is authorized to issue a check to the Bureau from the special fund in the total amount of the bills submitted as approved by the Board of Directors of the Bureau, provided, however, that no amount shall be approved for payment which exceeds the amount budgeted with respect to the funds on deposit with the Municipality from the Treasurer of the County of Allegheny.

Section 11. The checks issued from said special fund in the name of the Municipality shall require two (2) signatures and be signed by the Municipal Manager and Mayor of Monroeville or their designated substitutes as provided in the Home Rule Charter of Monroeville.

Section 12. The special fund established in the name of the Municipality as provided herein shall be audited by Independent Auditors retained by the Municipality of Monroeville in accordance with its Home Rule Charter and other applicable laws. A report of said audit shall be made in accordance with the law authorizing the receipt of said funds by the Municipality and submitted annually to the County Commissioners of Allegheny County. A copy of said audit shall be provided to the Bureau.

Section 13. The Bureau shall submit to the Municipality annually an audit of its books with respect to the funds transferred to the Bureau by the Municipality under the provisions of this Ordinance. The said audit of the Bureau funds shall be submitted to the Municipality no later than June 1 of the year following the completion of any given fiscal year as herein set forth.

Section 14. There shall at all times be one (1) member from the Monroeville Municipal Council who shall be a member of the Board of Directors of the Bureau. Said member from the Municipal Council shall be appointed in accordance with the requirements of the Monroeville Home Rule Charter relative to the appointment of councilmatic committees by the Deputy Mayor. (Article 3 Section 308)

Section 15. The Bureau shall provide to the Municipality a copy of the minutes of all membership and Board of Director Meetings as soon as practicable after the said minutes are approved. In addition, all financial statements and Treasurer reports shall be submitted to the Municipality of Monroeville for approval.

Ordinance No. _____

Section 16. This Ordinance shall take effect in accordance with the provisions set forth in the Monroeville Home Rule Charter.

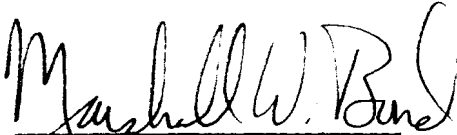
Section 17. In the event the Bureau fails to comply with the requirements set forth herein and the requirements set forth in the Act authorizing the Municipality of Monroeville to receive the hotel tax funds from the Treasurer of the County of Allegheny the Municipal Manager shall retain any funds on deposit with the Municipality in the special fund and not disperse the same to the Bureau until compliance with the provisions hereof.

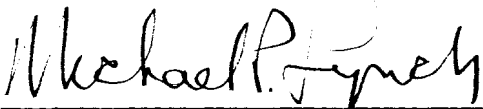
Section 18. Any Ordinance or parts of Ordinance in conflict with any of the provisions of this Ordinance are hereby repealed to the extent of such conflict.

ORDAINED and ENACTED this 8th day of February, 1983.

ATTEST:

MUNICIPALITY OF MONROEVILLE


Municipal Manager


Mayor

(SEAL)