



**CITY OF BETHLEHEM**  
OFFICE OF THE CITY SOLICITOR

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**INTEROFFICE MEMORANDUM**

To: Louise M. Kelchner, City Clerk

From: William P. Leeson, Esq., City Solicitor

Re: Use Permit Agreement for Public Property  
Permittee Name: Mount Airy Neighborhood Association  
Purpose: West Side Farmer's Market  
Location: Rosegarden

Date: August 11, 2016

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Attached please find a Resolution and its associated Amendment No. 2 to Use Permit Agreement for Council's consideration. Mount Airy Neighborhood Association has requested to add October 1, 2016 and October 8, 2016 to the list of dates that the Farmer's Market will be open.

Please place this matter on City Council's agenda for review and appropriate action.

  
William P. Leeson, Esq., Solicitor

Cc: Robert J. Donchez, Mayor  
Jane P. Persa, Parks & Public Property  
Katie Stafford, MANA

RESOLUTION NO. \_\_\_\_\_

Authorization For Use Permit Agreement

BE IT RESOLVED by the Council of the City of Bethlehem that the Mayor and the Controller and/or such other City officials as deemed appropriate by the City Solicitor, are hereby authorized to execute a Use Permit Agreement and such other agreements and documents as are deemed by the City Solicitor to be necessary and/or related thereto, according to the terms and conditions indicated therein and made a part hereof, with the following named permittee, for the uses and purposes indicated therein and outlined below:

1. Name of Permittee: Mount Airy Neighborhood Association
2. Premises: Rose Garden
3. Purpose: West Side Farmer's Market
4. Duration: Every Saturday from June 11, 2016 through October 8, 2016 from 9:00 a.m. to 1:00 p.m. excluding July 4<sup>th</sup>.
5. Event Dates: June 11, 2016; June 18, 2016; June 25, 2016; July 9, 2016; July 16, 2016; July 23, 2016; July 30, 2016; August 6, 2016; August 13, 2016; August 20, 2016; August 27, 2016; September 3, 2016; September 10, 2016; September 17, 2016; September 24, 2016; October 1, 2016; and October 8, 2016

Sponsored by \_\_\_\_\_

\_\_\_\_\_

ADOPTED by Council this            day of            , 2016.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
City Clerk

AMENDMENT NO. 2 TO  
USE PERMIT AGREEMENT FOR PUBLIC PROPERTY  
BY AND BETWEEN  
CITY OF BETHLEHEM  
AND  
MOUNT AIRY NEIGHBORHOOD ASSOCIATION

AMENDMENT made this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between the CITY OF BETHLEHEM, Pennsylvania, hereinafter referred to as the "City" and Mount Airy Neighborhood Association hereinafter referred to as "Permittee".

WHEREAS, the parties entered into a Use Permit Agreement for the use of public property dated June 3, 2016, pursuant to which the City granted a Use Permit to the Permittee for the premises described, for the purposes described and for the duration described therein; and

WHEREAS, the parties agree to amend the Use Permit Agreement on the following terms and conditions.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto, intending to be legally bound hereby, covenant and agree as follows:

1. The Duration of the Use Permit Agreement is hereby amended to read as follows:

Every Saturday from June 11, 2016 to October 8, 2016 from 9:00 a.m. to 1:00 p.m. excluding July 4<sup>th</sup> weekend.

2. Paragraph A, Special Provisions, Subparagraph 1, Event Dates and Times, is hereby amended to add the following date:

October 1, 2016 from 9:00 a.m. to 1:00 p.m.  
October 8, 2016 from 9:00 a.m. to 1:00 p.m.

3. All other terms and conditions contained in the original Use Permit Agreement for Public Property shall remain in full force and effect.

[SIGNATURES APPEAR ON THE NEXT PAGE]

IN WITNESS WHEREOF, each of the parties hereto has caused this Amendment to be duly executed and attested as of the date first above written.

ATTEST: PERMITTEE:  
MOUNT AIRY NEIGHBORHOOD  
ASSOCIATION

\_\_\_\_\_  
Secretary BY: \_\_\_\_\_  
Title:

ATTEST: CITY OF BETHLEHEM

\_\_\_\_\_  
City Controller BY: \_\_\_\_\_  
Mayor

The within Use Permit Agreement Amendment is certified to be needed, necessary and appropriate.

By: \_\_\_\_\_  
City of Bethlehem Department Head  
Print Name: Jane P. Persa, Acting Director