



Legislation Details

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**File created:** 4/3/2012    **In control:** City Council

**On agenda:**    **Final action:** 4/3/2012

**Enactment date:** 4/3/2012    **Enactment #:** 178

**Effective date:**

**Title:** Whereas, on February 14, 2012, the State Legislature enacted Act 13, legislation that is to the detriment of local government and to those who reside in Pennsylvania's 2,661 municipalities; and,

Whereas, Act 13 allows for oil and gas development activities as a permitted use in every zoning district; it infringes upon the rights of affected local governments throughout the Commonwealth to protect the health, safety, and welfare of its citizens, as the City of Pittsburgh did by enacting a ban on drilling; and,

Whereas, any local ordinance that may impact the Oil & Gas industry must receive approval from the Pennsylvania Public Utility Commission, a non-elected body, and the Commission has the authority to, among other things, bring lawsuits against local governments on behalf of private parties, and in doing so renders moot the ability of affected local governments throughout the Commonwealth to implement and effectuate local community-wide comprehensive planning and zoning codes; and,

Whereas, this legislation strips away all local zoning and planning authority from affected local governments, as it would apply only to the Oil & Gas industry. All others, be they corporate, institutional or governmental must still abide by local zoning and planning ordinances; and,

Whereas, despite the profound changes in the character of Pennsylvania's municipal landscape, economy and its government is experiencing, little was done to address these changes in Act 13. There were no meaningful transparent discussions between state and local government; and,

Whereas, the Oil & Gas industry is engaged in a drilling campaign in Pennsylvania and has unduly influenced state elected officials enabling them to provide and legislate for the path of least resistance to the riches that lie beneath the Commonwealth; and,

**Sponsors:** Darlene M. Harris

**Indexes:** PROCLAMATION - MRS. HARRIS

**Code sections:**

**Attachments:** 1. 2012-0273.doc

Date	Ver.	Action By	Action	Result
4/3/2012	1	City Council	Adopted	Pass