RESOLUTION OF 2012-12
CITY OF COATESVILLE
IN SUPPORT OF ACT 13 CHALLENGE

Whereas, on February 14, 2012, the Pennsylvania General Assembly enacted Act 13, legislation that is to the detriment of local governments and to those who reside in Pennsylvania's 2,563 municipalities; and,

Whereas, Act 13 requires municipalities to allow oil and gas operations except for processing plants in all zoning districts, and consequently infringes upon the rights of local governments throughout the Commonwealth to protect the health, safety, and welfare of its citizens; and,

Whereas, any local ordinance that regulates oil and gas operations is subject to Act 13's sweeping restrictions, as well as its serious threat of litigation and attorneys' fees; and

Whereas, Act 13 removes all meaningful zoning and planning authority from local governments as to the oil & gas industry, while all other entities, be they individual, corporate, or institutional, still must abide by local ordinances; and,

Whereas, Act 13 does not account for the profound differences in the character, landscape, resources, economy, and government of Pennsylvania's municipalities;

NOW, THEREFORE BE IT RESOLVED, That the City of Coatesville stands in opposition to Act 13. The Act removes from local governments the ability to meaningfully legislate in a manner that protects the health, safety, and welfare of its citizens by addressing localized concerns raised by to oil and gas development. The City of Coatesville opposes the conveyance of special rights and privileges to the oil and gas industry, to the detriment of the rights and privileges of all others. Act 13 violates both the Pennsylvania and U.S. Constitutions, creating a zoning scheme that supersedes the protections local officials are sworn to uphold; as well as the health, safety and welfare of its residents that local officials must protect.

That the City of Coatesville joins with other municipalities and local elected officials in their opposition to Act 13. Act 13 removes from the City of Coatesville the meaningful ability to protect its citizens and address local concerns about oil and gas development. We therefore endorse the efforts of the Delaware Riverkeeper Network and the municipalities challenging the validity of Act 13: Cecil Township, Mount Pleasant Township, Nockamixon Township, Peters Township, Robinson Township, South Fayette Township and Yardley Borough.

IN WITNESS THEREOF, the Council of the City of Coatesville has adopted and enacted this Resolution this 14th day of May 2012.

Edward Simpson
President, City Council

ATTEST:

Gary Rawlings
City Manager