



Allegheny County Council

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Legislation Text

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Title...

Proclamation recognizing and thanking South Fayette Township and Mr. Deron Gabriel, commission president for South Fayette Township, for their efforts to protect local zoning authority in Allegheny County and the Commonwealth of Pennsylvania.

Body...

WHEREAS, on February 14, 2012, Pennsylvania Governor Tom Corbett signed Act 13 into law, amending the Pennsylvania Oil and Gas Act, in part, preempting municipal zoning of oil and gas development; and

WHEREAS, the Pennsylvania Supreme Court's landmark decision upheld the Commonwealth Court's decision and nullified the portions of Act 13 that required local municipalities to allow oil and gas drilling as a permitted use in all zoning districts; and

WHEREAS, on December 19, 2013, the Pennsylvania Supreme Court ruled that Act 13's statewide zoning rules are unconstitutional with a plurality suggesting that the General Assembly, which grants municipalities the right to enact zoning ordinances, cannot in turn withdraw that right; and

WHEREAS, on April 17, 2012, Allegheny County Council passed Bill No. 6895-12, a motion expressing Council's support of the lawsuit filed in opposition to Act 13 of 2012 before the Commonwealth Court of Pennsylvania, Docket No. 284-MD-2012, on the basis that locally tailored zoning restrictions have historically been demonstrated to offer the best possible means of protecting the health, safety and welfare of the residents of the County and Commonwealth; and

WHEREAS, South Fayette Township had the distinction of being the only Allegheny County municipality to challenge the shale gas law passed in 2012; and

WHEREAS, because of the leadership of Mr. Deron Gabriel, commission president of South Fayette Township, municipal zoning authority has been restored and local governments can protect their communities and natural resources through zoning;

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council, on behalf of the citizens of Allegheny County, does hereby recognize and thank South Fayette Township and Mr. Deron Gabriel for their outstanding efforts to protect the citizens and interests of local communities in Allegheny County.