

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 210374)

RESOLUTION

Calling upon the General Assembly of the Commonwealth of Pennsylvania to reject Senate Bill 275, which would restrict municipalities from addressing climate change through legislating energy and heating infrastructure requirements.

WHEREAS, Global warming has already begun to alter climatic patterns and exacerbate extreme weather events, even as greenhouse gas emissions have locked in additional decades, if not centuries, of additional warming; and

WHEREAS, In the absence of adequate federal, let alone international, policymaking, the voters and elected officials of some states and localities have joined the global response by finding ways to use their legislative powers and procurement dollars to reduce fossil fuel dependence; and

WHEREAS, To that end, a smattering of municipalities across the country, starting with Berkley in 2019, have passed ordinances to limit or ban natural gas hookups for newly constructed buildings; and

WHEREAS, In reaction, bills to prevent local governments from making this policy choice have been enacted in four states – Arizona, Oklahoma, Louisiana, and Texas – and been introduced in at least 14 others, one of which being our own Commonwealth of Pennsylvania, as Senate Bill 275; and

WHEREAS, The swiftness of this response is rarely seen from the state legislatures to protect the human environment; and

WHEREAS, SB 275 and its legislative doppelgangers do not purport to address climate change, nor the desire of Americans to invest in clean energy technology adoption and research, the increasing costs to municipal governments (and every building-owner) of rising insurance premiums in the wake of more extreme weather events, let alone the direct costs thereof, nor the strain on utility finances of ever more efficient buildings and heating and cooking appliances – and they do not do so; and

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WHEREAS, These bills do not enhance residents' ability to participate in community solar (this is the third session in which a version of enabling bill has been offered in the General Assembly), or buy electric cars (which require different infrastructure than what has already been made available for fossil fuel-powered ones) or bicycles, or reside near either transit or bicycle infrastructure (also no infrastructure investment) so they might choose to be car-free, or provide any other clean or electrified building or transportation options, despite their prominence in emissions; and

WHEREAS, Rather, these prohibitions simply lock everyone in every municipality into the current cost of installation of natural gas infrastructure, regardless of the local context or buyer intention, as part of a nationwide effort to remove the ability of local electorates to make decisions about how to address climate change responsibly, all under the guise of "consumer choice"; and

WHEREAS, The only choice, such as it is, left to residents is to be able to choose to have natural gas service in any residence they might buy, whether already constructed or newly so, which will have the infrastructure regardless; and

WHEREAS, The co-sponsorship memo circulated on behalf of SB 275 claims that its passage would "ensure that all Pennsylvania businesses and homeowners have the opportunity to access energy, whether it be natural gas, solar, wind, geothermal or other" although the title and terms of legislation are about preempting utility service and do nothing whatsoever to promote access to the latter energy options; and

WHEREAS, From flavored cigarette sales to children, to the scourge of plastic bag waste, to the existential crisis that is climate change, there are too many challenges, great and small, facing Philadelphians, Pennsylvanians, and Americans that are met primarily with local action, however efficient or proportional that may be, only to face a state reaction banning municipalities from doing so; and

WHEREAS, By their very nature, utilities, including natural gas utilities, whether private or public, are regulated entities, subject to all kinds of governmental conditions, yet are still susceptible to market forces, such as commodity prices, climate-driven demand shifts, and efficiency gains; and

WHEREAS, To truly empower resident-consumers, protect the most vulnerable ratepayers, and adhere to the needs and wishes of voters eager to address climate change, we need the Commonwealth to proactively explore ways to clean, green, and invest in our infrastructure, including for heating and cooking, in ways that are fair to all stakeholders and just to all, not merely take away one tool available to municipalities; now, therefore, be it

RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, Does call upon the General Assembly of the Commonwealth of Pennsylvania to reject Senate Bill 275, which would

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restrict municipalities from addressing climate change through legislating energy and heating infrastructure requirements.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-ninth day of April, 2021.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Green

Sponsored by: Councilmembers Green, Gym, Henon, Brooks, Gilmore
Richardson, Domb and Parker