

Legislation Text

File #: 060174, **Version:** 0

Calling on the Pennsylvania General Assembly not to preempt Philadelphia's local zoning control with respect to gaming facilities.

WHEREAS, When the General Assembly first passed legislation that would allow slots parlors throughout the Commonwealth, it included provisions that would preempt all local zoning controls with respect to gaming facilities. The Pennsylvania Supreme Court struck down these provisions because they failed to provide adequate standards and guidelines for the Gaming Control Board's decisions with respect to the location of gaming facilities; and

WHEREAS, Philadelphia City Council passed Bill Number 051028 that creates a new chapter in the Philadelphia Code entitled "Commercial Entertainment District." This new zoning classification places responsible and appropriate guidelines on casino developers that should protect the neighborhoods most impacted by gaming yet still allow the licensees to develop their product for a high profit; and

WHEREAS, City Council members, the Administration and neighborhood organizations have begun to discuss the proposed gaming developments and their potential impact on their communities. While everyone involved is concerned about the advent of gaming, everyone also recognizes that gaming is coming. Elected officials and communities merely want to insure that residents and businesses are protected to the best of their ability; and

WHEREAS, House Speaker John Perzel commented in local papers that he would be concerned if Philadelphia should retain local zoning control and stated that Philadelphia's "culture of corruption" prevented the City from acting responsibly; and

WHEREAS, It appears that Speaker Perzel will begin to circulate amendments to current legislation that would strip the people of Philadelphia of their rights to participate in the zoning process as it applies to proposed gaming locations. If successful, Philadelphia would be the only municipality in the Commonwealth to lose this power; and

WHEREAS, This body believes that, if local zoning controls are retained in other municipalities throughout the Commonwealth, then Philadelphia should also retain this right. Philadelphians should not be treated as second class citizens; now therefore

RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, Calls on the Pennsylvania General Assembly not to preempt Philadelphia's local zoning control with respect to gaming facilities.