

**Establishing A Moratorium On Permits,
Certificates Of Zoning Compliance And
Variances For Exploration And Extraction
Of Natural Gas Within The City**

WHEREAS, the City of Rochester hereby intends to place a moratorium on the exploration and extraction of natural gas within the City of Rochester under its zoning powers, in order to preserve and protect the public health, safety and welfare of the residents of and visitors to the City of Rochester from known and suspected dangers from natural gas exploration and extraction, while the effects of such activities in the City can be further studied; and

WHEREAS, the City Council of the City of Rochester finds that:

- (1) Natural gas exploration and extraction occurring in the urban environment of the City of Rochester may pose a significant threat to the health, safety and welfare of the residents of and visitors to the City of Rochester.**
- (2) The potential exists for environmental and human health impacts as evidenced by reported cases of such impacts in other areas of the country where natural gas exploration and extraction has occurred.**
- (3) Natural gas exploration and extraction within the City of Rochester could endanger the health, safety and welfare of City residents and visitors through the deposit of gases, vapors, hazardous substances and other materials into the air, soil, water and environment of the City. The City of Rochester, an urban area, with dense residential development, a built environment and the existence of many brownfield sites, may be particularly vulnerable to these impacts.**
- (4) Clean air, water and soil are essential to most resources and activities in the Rochester area. The quality of air, water and soil may be degraded and polluted by natural gas exploration and extraction and the chemicals used in these processes, and this pollution may have immediate and long term adverse health impacts.**
- (5) There has been inadequate research into the specific impacts of natural gas exploration and extraction in urban areas, where there are dense residential development, many existing industrial sites, and a large number of brownfield sites containing identified and unidentified hazardous substances or hazardous wastes. Of particular concern is the impact that the natural gas extraction method of high-volume hydraulic fracturing may have on the existing hazardous substances or hazardous wastes found in brownfield sites, the potential for and increased danger from seismic activity in a developed urban area, and the increased danger from any spills, emissions or discharges due to proximity to dense urban populations.**

(6) The City of Rochester is uniquely situated on or adjacent to several bodies of water, including Lake Ontario, the Genesee River and the Erie Canal, which are already vulnerable to pollution from groundwater runoff and other sources. In addition, the City has a large number of parks as well as public and private cemeteries. There has been inadequate study of the potential adverse impact of natural gas exploration and extraction on these critical natural resources.

(7) The protection of residents, neighborhoods and the natural environment by placing a moratorium on natural gas exploration and extraction in the City of Rochester is an appropriate use of the City's zoning powers; and

WHEREAS, a moratorium imposed on permits, certificates of zoning compliance and variances for natural gas exploration and extraction for a one-year period shall allow for further review in order that informed decisions may be made on the effects of such activities in the City.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. There shall be a one-year moratorium on the acceptance of applications for, and on the approval of, permits, certificates of zoning compliance and variances for natural gas exploration and extraction in the City of Rochester.

Section 2. This ordinance shall take effect immediately.