

RESOLUTION 2018-103
OF THE COUNCIL OF THE CITY OF FORT COLLINS
EXPRESSING THE CITY COUNCIL'S OPPOSITION FOR THE PASSAGE
OF PROPOSITION 112 RELATING TO OIL AND GAS SETBACKS AND URGING THE
CITIZENS OF FORT COLLINS TO VOTE "NO" ON THIS BALLOT ISSUE

WHEREAS, Proposition 112 (formerly Initiative #97) is a proposed statute that will appear on the November 2018 general election ballot; and

WHEREAS, Proposition 112 would require "new" oil and natural gas development (including a previously plugged or abandoned well that comes back online) not on federal land to be located at least 2,500 feet from an "occupied structure" or "vulnerable area," with such terms defined as follows:

"Occupied structure" is defined to mean any building intended for human occupancy, including homes, hospitals, and schools.

"Vulnerable areas" is defined to mean playgrounds, permanent sports fields, amphitheaters, public parks, public open space, public and community drinking water sources, irrigation canals, reservoirs, lakes, rivers, perennial or intermittent streams, creeks, and any other such locations as may be designated by the state or a local government; and

WHEREAS, the official fiscal note accompanying Proposition 112 anticipates reduced severance and other tax revenues accruing to both the state and to local governments in the future, and the oil and gas industry has released various reports indicating that this measure will significantly restrict production activity in Colorado; and

WHEREAS, Proposition 112 would cause significant and unreasonable impacts to state and local governments and to the gas industry and would go farther than necessary for protection of the health, safety, and welfare of the citizens of the City; and

WHEREAS, by precluding any distance limit less than 2,500 feet, Proposition 112 would restrict both local control and home rule, thereby limiting the City's ability to negotiate agreements with producers in which a smaller "setback" might be offered in exchange for other land use, zoning and operational considerations, as an example; and

WHEREAS, the City Council believes it is in the best interests of the City for the Council to oppose the Proposition 112 and encourage the City's registered electorate to vote "NO" on such measure.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the City Council opposes Proposition 112 and urges every registered voter to vote "NO" on Proposition 112 at the November 6, 2018, election.

Postponed Indefinitely

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 16th day of October, A.D. 2018.

Mayor

ATTEST:

City Clerk

Postponed Indefinitely