

ORDINANCE NO. 2 OF 2009
OF
MORRIS TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA

AN ORDINANCE OF MORRIS TOWNSHIP, WASHINGTON COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 1 OF 1992 TO INCLUDE FOR CONDITIONAL USE APPROVAL OF EXTRACTIVE OPERATIONS A CONDITION REQUIRING THE OPERATOR TO REPORT TO THE TOWNSHIP THE DRAWING OF WATER FROM ANY STREAM OR WATERWAY; A CONDITION REQUIRING THE OPERATOR TO PROVIDE THE TOWNSHIP WITH MAPS OR DRAWINGS SHOWING THE LOCATION OF INFRASTRUCTURE; AND A CONDITION REGULATING THE HOURS OF OPERATIONS OF ROCK CRUSHERS, CEMENT PLANTS OR OTHER CRUSHING, GRINDING, POLISHING OR CUTTING MACHINERY OR OTHER PHYSICAL OR CHEMICAL PROCESS OR FACILITY FOR THE PROCESSING OF MATERIALS REMOVED IN CONNECTION WITH EXTRACTIVE OPERATIONS.

WHEREAS, the Board of Supervisors of Morris Township has reviewed the Township Zoning Ordinance, as amended by Ordinance No. 1 of 1992, and has concluded that it is necessary with respect to conditional use approval for extractive operations to include provisions requiring operators to report to the Township the drawing of water from any stream or waterway; requiring operators to provide the Township with maps or drawings showing the location of all infrastructure; and a condition regulating the hours of operations of rock crushers, cement plants or other crushing, grinding, polishing or cutting machinery or other physical or chemical process or facility for the processing of materials removed in connection with extractive operations; and

WHEREAS, the Board of Supervisors of Morris Township has conducted a public hearing on the within proposed amendment to Ordinance No. 1 of 1992.

NOW, THEREFORE, be it ordained and enacted, and is hereby ordained and enacted by the Board of Supervisors of the Township of Morris, Washington County, Pennsylvania that:

SECTION 1. Section 3.e.(9) is added to Ordinance No. 1 of 1992 as follows:

(9) The designated operator shall provide to the Township copies of all Act 220 Water Withdrawal and Use Registrations which it provides to the Commonwealth of Pennsylvania Department of Environmental Protection with respect to the usage of water from any source within Morris Township. Copies of the Act 220 Water Withdrawal and Use Registration shall be provided to Morris Township at the same time they are provided to the Department of Environmental Protection.

SECTION 2. Section 3.e.(10) is added to Ordinance No. 1 of 1992 as follows:

(10) The designated operator shall provide the Township with maps or drawings showing the location of all infrastructure installed by the operator, to include, but not limited to, pipelines, pump stations, regulators, valves, drips, etc. Copies of maps or drawings submitted to Pennsylvania Department of Environmental Protection or other agency containing substantially the same information shall satisfy this requirement. This information shall be provided to Morris Township no later than the date the facility is placed into operation. Provided, however, that any disclosure of such information shall be limited to the appropriate police, fire, emergency medical and emergency management personnel, and any such information shall be exempt from general public disclosure pursuant to the trade secret and confidential proprietary information and public safety exceptions of the Pennsylvania Right-to-Know Law.

SECTION 3. Section 3.e.(3) of Ordinance No. 1 of 1992 is hereby deleted in its entirety and the following substituted therefore:

(3) No rock crusher, cement plant or other crushing, grinding, polishing or cutting machinery or other physical or chemical process for treating such products shall be operated in the A-1 Agricultural District or other areas of the Township between the hours of 9:00 p.m. and 6:00 a.m. prevailing time.

SECTION 4. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed to the extent of any such inconsistency.

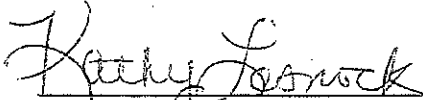
SECTION 5. Severability. If any sentence, clause, section or other part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of Morris Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

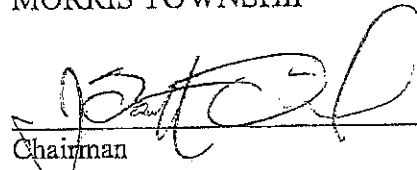
SECTION 6. **Effective Date.** This Ordinance shall become effective five (5) days after its enactment.

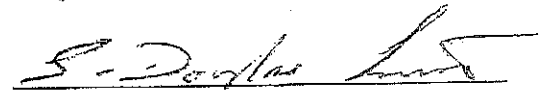
ENACTED AND ORDAINED this 3rd day of November, 2009.

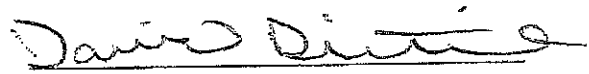
ATTEST:

MORRIS TOWNSHIP


Kathy Lesnock, Secretary


Chairman


Supervisor


Supervisor