

MT. PLEASANT TOWNSHIP

WASHINGTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 97

**AN ORDINANCE REQUIRING THE ISSUANCE OF A PERMIT FOR THE DRILLING AND/OR OPERATION OF GAS AND OIL WELLS WITHIN THE BOUNDARIES OF THE TOWNSHIP, REQUIRING COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS, SETTING A PERMIT FEE, AND PROVIDING A PENALTY FOR VIOLATION OF THE ORDINANCE**

WHEREAS, Mt. Pleasant Township is located in an area which is economically feasible for the exploration and production of oil and natural gas; and,

WHEREAS, a significant number of oil and natural gas wells are in existence within Mt. Pleasant Township and more are anticipated; and,

WHEREAS, oil and natural gas explorations and operations involve activities that may impact upon Mt. Pleasant Township's environment, infrastructure, and related public health, welfare and safety matters such that it is in the Township's best interest to monitor the location of oil and natural gas wells, as well as determining the identity of the owner and responsible operators of such wells.

NOW, THEREFORE, be it resolved by the Board of Supervisors of Mt. Pleasant Township at a duly organized public meeting that:

1. The exploration, development, and production of oil and gas in Mt. Pleasant Township is an activity that necessitates certain oversight to ensure that all property owners have the right to enjoy their property and its benefits and revenues. It is hereby declared to be the purpose of this ordinance to require the registration and permitting of existing and future oil and gas exploration and operations such that the Township may monitor the locations, ownership, and operators of such

facilities. Mt. Pleasant Township recognizes that the regulation of oil and gas operations is in large part the responsibility of the regulatory agencies of the Commonwealth of Pennsylvania, but that it is in the Township's best interest to identify the location and circumstances of existing and future oil and gas exploration, development and production.

2. No oil or gas well of any type or nature shall be dug or drilled, nor shall any work in preparation therefore be commenced within the boundaries of Mt. Pleasant Township unless and until the person or entity desiring to dig or drill such well has first applied for and received a permit from Mt. Pleasant Township allowing the commencement of drilling operations. All applicable ordinances adopted by Mt. Pleasant Township, and federal and state laws and regulations shall be adhered to by the applicant.

3. Every person, firm or corporation desiring a permit allowing the on-going existence or commencement of drilling operations shall file a written application therefore with the agent designated by Mt. Pleasant Township showing the following information:

- (a) The name and address of the mineral and royalty owner(s), a copy of the oil and gas lease and any drilling permits issued by the Commonwealth of Pennsylvania, or the application if a permit has not yet been issued, shall be attached;
- (b) The name and address of the applicant, including the name and telephone number of a local representative;
- (c) The exact description of the location of the existing or proposed well;
- (d) The name and address of each property owner of all property within three hundred feet (300') of the proposed well, and there shall be filed concurrently the written confirmation that each property owner has been notified of the drilling application;

(e) A statement and map showing what roads or streets will be utilized for the transportation of the necessary equipment and support supplies and the approximate weight of each load thereof. All loads shall be within established weight limitations or bonding requirements met.

(f) Each application shall be accompanied by payment of a permit fee of \$ 100.00 made payable to "Mt. Pleasant Township".

4. Every person, firm or corporation requiring a permit agrees that it shall compensate and reimburse the Mt. Pleasant Township for any damages caused by virtue of drilling activities to Township roads, land or other facilities owned by the Township.

5. It shall be unlawful and an offense for any person to fail to comply with any condition set forth in this ordinance or in the permit issued under this ordinance.

6. Any violation of this ordinance shall be punished by fine of not more than Five Hundred Dollars (\$500.00) per violation per day. Each day that a violation exists shall constitute a separate offense.

7. The penalty provided herein shall be cumulative of other remedies provided by the laws of the Commonwealth of Pennsylvania, including but not limited to injunctive relief.

8. If any section, clause, phrase or provision of this ordinance or the application thereof to any person, firm or corporation shall to any extent be held by court of competent jurisdiction to be invalid, the remaining sections and provisions of the ordinance shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

9. This ordinance shall take effect the 4<sup>th</sup> day of January, 2005. All existing oil and gas operations within Mt. Pleasant Township shall be required to obtain a permit from the Township within ninety (90) days of the effective date of the ordinance, and all new oil and

gas exploration and operations shall be required to obtain the necessary permit before commencing any activities.

ORDAINED AND ENACTED the 3<sup>rd</sup> day of January, 2005, by the Board of Supervisors of Mt. Pleasant Township, Washington County, Pennsylvania.

ATTEST:

MT. PLEASANT TOWNSHIP

Margherita Stevenson  
Secretary

By William L. Dinsmore  
William L. Dinsmore, Chairman

By Larry H. Grimm  
Larry H. Grimm, Vice-Chairman

By Shane D. Maga  
Shane D. Maga, Supervisor