

**PICTURE ROCKS BOROUGH
LYCOMING COUNTY, PENNSYLVANIA**

ORDINANCE NO: 2008-02

AN ORDINANCE OF THE BOROUGH OF PICTURE ROCKS, LYCOMING COUNTY, PENNSYLVANIA AMENDING THE PICTURE ROCKS BOROUGH ZONING ORDINANCE OF 2007, ADOPTED DECEMBER 3, 2007 ; PROVIDING FOR OIL AND GAS DRILLING AS A PERMITTED USE IN ALL ZONING DISTRICTS; AMENDING THE DEFINITION OF MINERAL EXTRACTION OPERATIONS AND MINERALS; AND PROVIDING FOR THE REGULATION OF TEMPORARY USES

BE IT ENACTED AND ORDAINED, by the Council of the Borough of Picture Rocks, Lycoming County, Pennsylvania as follows:

Article I

Article 3, Section 302 BOROUGH CENTER DISTRICT, Permitted Principal Uses & Structures is hereby amended to add the following:

11. Oil and gas drilling.

Article II

Article 3, Section 303 RESIDENTIAL DISTRICT, Permitted Principal Uses & Structures is hereby amended to add the following:

5. Oil and gas drilling.

Article III

Article 3, Section 304 OPEN SPACE DISTRICT, Permitted Principal Uses & Structures is hereby amended to add the following:

4. Oil and gas drilling.

Article IV

Article 3, Section 305 FLOODPLAIN DISTRICT, Permitted Principal Uses & Structures is hereby amended to add the following:

4. Oil and gas drilling.

Article V

Article 4, Section 428 TEMPORARY USES AND STRUCTURES is hereby amended to add subsection E as follows:

E. Mineral Extraction Operations and Oil and Gas Drilling

A Temporary Zoning Permit may be issued by the Zoning Officer for Mineral Extraction Operations and Oil and Gas Drilling only after the applicant has met the following requirements.

1. The property owner, or his/her authorized agent, shall submit a letter notifying the Borough of the intended operation along with a temporary permit application and the appropriate processing fee.
2. Upon receipt of the letter, application and processing fee a Temporary Zoning Permit may be issued which must be conspicuously posted at the nearest point of public access to the property.
3. Revocation or suspension of any required Federal, State, Municipal or other required approvals shall constitute an automatic revocation or suspension of the Temporary Zoning Permit.
4. The Borough may distribute copies of the Temporary Zoning Permit to other agencies on an as needed basis.
5. Upon termination of mineral extraction operations or oil and gas drilling the property shall be returned to as close to, or better than, the original condition as possible.

Article VI

Article 4, Section 428 TEMPORARY USES AND STRUCTURES is hereby amended to add subsection F as follows:

F. Contractors Office, Watchman Trailers, Construction Equipment Sheds and Trailers

A Temporary Zoning Permit may be issued by the Zoning Officer subject to the following conditions:

1. The contractor's office, watchman trailer, construction equipment shed, trailer or similar structure is incidental to a construction project. Water and sanitary facilities shall be provided; sleeping and/or cooking accommodations may be provided.

2. Permits shall be issued for one (1) year, and may be extended for additional periods until construction has ceased or has been completed.
3. The temporary structure shall be removed from the property upon issuance of the completion of the activity.

Article VII

The definition of Mineral Extraction Operation and the definition of Minerals set forth in Article 13, Section 1301, DEFINITIONS are hereby amended as follows:

MINERAL EXTRACTION OPERATION: The commercial extraction of sand, gravel, clay, shale, rock, or other natural mineral deposits from the earth, including facilities for the batching or mixing of extracted materials. Mineral extraction operation shall not include the extraction of crude oil and natural gas.

MINERALS: Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, anthracite and bituminous coal, limestone or dolomite, sand, gravel, rock, stone, earth, slag, ore, vermiculite, or clay. The term shall not include crude oil and natural gas.

Article VIII

This ordinance shall be effective immediately.

DULY ENACTED AND ORDAINED this 3rd day of December, 2008 by the Borough Council of Picture Rocks, Lycoming County, Pennsylvania, in lawful session duly assembled.

ATTEST:

BOROUGH OF PICTURE ROCKS

By: William N. Dorman
William Dorman, Secretary

By: Layne M.
Council President

DULY approved this 8th day of Dec., 2008

By: David B.
Mayor