

LEHIGH TOWNSHIP
ORDINANCE NO. 2018-6

AN ORDINANCE OF LEHIGH TOWNSHIP, NORTHAMPTON COUNTY,
COMMONWEALTH OF PENNSYLVANIA, AMENDING THE LEHIGH TOWNSHIP
ZONING ORDINANCE, CHAPTER 180, OF THE TOWNSHIP CODE OF ORDINANCES
INCORPORATING OIL AND GAS ACTIVITIES.

WHEREAS, the Board of Supervisors of Lehigh Township is authorized by the Municipalities Planning Code to regulate land use within the Township;

WHEREAS, the Board of Supervisors of Lehigh Township as authorized by the Municipalities Planning Code may from time to time amend and/or revise its Zoning Ordinance;

WHEREAS, it is in the Township's best interest to address various zoning issues to include where activities will and will not be permitted and to have information available concerning the unique circumstances involving oil and gas exploration, development, production and processing taking place within the Township.

WHEREAS, the Board of Supervisors desires to permit and regulate the use of oil and gas well operations and/or transportation in conjunction with and in accordance with the Rules and Regulations established by the State and Federal Governments for the health, safety and welfare of its citizens.

NOW, THEREFORE, be it ordained and enacted by the Board of Supervisors of Lehigh Township and it is hereby ordained and enacted by the Authority of same as follows:

SECTION 1: Definitions.

CHAPTER 180 Section 15 entitled, "Word usage and definitions" is hereby amended by adding the following definitions:

Best Management Practices—Practices that are designed to prevent or reduce impacts caused to air, water, soil, or biological resources, and to minimize the adverse impacts to public health, safety and welfare, including the environment and wildlife resources, utilizing the best available technology to the maximum extent possible.

Compressor - A device that raises the pressure of oil and natural gas and/or by products.

Compressors are any devices that create a pressure differential to move or compress a liquid, vapor, or a gas. Any such device used alone or in series to adequately move a liquid, vapor or a gas is considered a compressor.

Hazardous Waste - The definition of hazardous waste contained in PA Code Title 25, Chapter 261 (A) — Identification and Listing of Hazardous Waste is hereby adopted by reference.

Light Industrial - The processing, fabrication, treatment, or assembly of materials, raw or otherwise, or manufacturing of products that may or may not require additional processing, fabrication, treatment, or assembly, whether or not for ultimate use by the consumer.

Oil and Gas Metering Stations / Above Ground Gathering Facilities - A system used to measure all oil and/or natural gas entering or exiting the pipeline system to provide accurate and continuous gas measurements and/or regulate gas pressure and delivery volumes.

Oil and Gas Compressor Station - A facility or location that contains a compressor, compressors and all related components to facilitate the movement of oil and/or natural gas and/or its byproducts through a pipeline.

Oil and Gas Pipelines - All parts of those physical facilities through which oil and/or natural gas moves in transportation, including pipe, valves, and other appurtenances attached to pipes, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies.

Oil and Gas Processing Facility - A facility that receives oil and/or natural gas and associated hydrocarbons from a truck, railway car, or pipeline system serving one or more wells, which processes, compresses, condenses, pressurizes, deals with Dew Point Control or gas quality related issues or otherwise treats oil and/or natural gas making it suitable for, among other things, pipeline transmission, or which removes and separates or adds other materials, products, and impurities to or from the oil or gas, and which may or may not include compressor stations, cooling facilities, storage tanks and related equipment and facilities.

Pipeline Corridor - The pathway in which the pipelines and facilities of a pipeline operator are located in the jurisdiction of Lehigh Township including public rights-of-way and easements over and through public or private property.

Pollution - Man-made or man-induced contamination or other degradation of the physical, chemical, biological, or radiological integrity of air, water, soil, or biological resource.

Protected Use or Protected Structure - Any Habitable Structure, Religious Institution, Public Building, Healthcare Facility, School, Camp, or Public Park. This term shall not apply to accessory buildings, garages, hangars, or storage buildings.

Water Impoundment, Fresh - A lined depression, excavation, pit, or facility situated in or upon the ground, whether natural or artificial used to store fresh water.

Water Impoundment, Waste - A lined depression, excavation, pit, or facility situated in or upon the ground, whether natural or artificial used to store waste water including but not limited to brine, fracturing fluid or residual waste.

Zoning Certificate — A document signed by the Township Zoning Officer which is required by this chapter prior to the commencement of a use or the erection, construction, reconstruction, alteration, conversion or installation of a structure or building.

SECTION 2. Zoning Districts

A. 180-16 entitled Agricultural/Rural Residential Zone (A/RR) is hereby modified as follows:

1. 180-16B. Permitted Uses shall be modified by adding sub paragraphs (14) through (16) as follows:

- (14) O&G Meter/Gathering Facility (Minor) (see Section 180-108)
- (15) O&G Meter/Gathering Facility (Major) (see Section 180-108)
- (16) Oil & Gas Pipelines (see Section 180-108)

2. 180-16D entitled Conditional Uses shall be modified by adding sub paragraphs (7) through (8) as follows:

- (7) Oil and Gas Compressor Station (see Section 180-108)
- (8) Oil and Gas Well (see Section 180-108)

3. Section 180-16E entitled Design Standards shall be modified to reflect for Oil and Gas Activities as follows:

Use- Oil and Gas Activities - Minimum Lot Area- 1 Acre.

B. 180-17 entitled Village Residential Zone shall be modified as follows:

1. 180-17B. Permitted Uses shall be modified by adding sub paragraphs (13) through (15) as follows:

- (13) O&G Meter/Gathering Facility (Minor) (see Section 180-108)
- (14) O&G Meter/Gathering Facility (Major) (see Section 180-108)
- (15) Oil & Gas Pipelines (see Section 180-108)

2. 180-17D entitled Conditional Uses shall be modified by adding sub paragraphs (3) as follows:

- (3) Oil and Gas Well (see Section 180-108)

3. Section 180- 17E entitled Design Requirements shall be modified to reflect for Oil and Gas Activities as follows:

Use- Oil and Gas Activities - Minimum Lot Area- 1 Acre.

C. 180-18 entitled Resort Commercial is hereby amended as follows:

1. 180-18B. Permitted Uses shall be modified by adding sub paragraphs (9)through (11) as follows:

- (9) O&G Meter/Gathering Facility (Minor) (see Section 180-108)
- (10) O&G Meter/Gathering Facility (Major) (see Section 180-108)
- (11) Oil & Gas Pipelines (see Section 180-108)

2. New 180-18 D entitled Conditional Uses shall be added as follows added as follows:

- (1) Oil and Gas Well (see Section 180-108)

The remaining sections following the new Section D shall be re-lettered in alphabetical order E through M accordingly.

3. Section 180-18N entitled Design Standards shall be added to reflect for Oil and Gas Activities as follows:

N. Use- Oil and Gas Activities - Minimum Lot Area- 1 Acre.

D. 180-19 entitled Neighborhood Commercial Zone shall be modified as follows:

1. 180-19 B. Permitted Uses shall be modified by adding sub paragraphs (21)through (23) as follows:

- (21) O&G Meter/Gathering Facility (Minor) (see Section 180-108)
- (22) O&G Meter/Gathering Facility (Major) (see Section 180-108)
- (23) Oil & Gas Pipelines (see Section 180-108)

2. New 180-19 D entitled Conditional Uses shall be adding as follows:

- (1) Oil and Gas Well (see Section 180-108)

The remaining sections following the new Section D shall be re-lettered in alphabetical order E through M accordingly.

3. Section 180-19 entitled Lot Width, and lot coverage requirements shall be modified to reflect for Oil and Gas Activities as follows:

Use- Oil and Gas Activities - Minimum Lot Area- 0.5 Acres.

E. 180- 20 entitled General Commercial Zone shall be modified as follows:

1. 180-20 B Permitted Uses shall be modified by adding sub paragraphs (19) through (21) as follows:

- (19) O&G Meter/Gathering Facility (Minor) (see Section 180-108)
- (20) O&G Meter/Gathering Facility (Major) (see Section 180-108)
- (21) Oil & Gas Pipelines (see Section 180-108)

2. 180-18D entitled Conditional Uses shall be modified by adding sub paragraphs (3) through (4) as follows:

- (3) Oil and Gas Compressor Station (see Section 180-108)
- (4) Oil and Gas Well (see Section 180-108)

3. Section 180-20E entitled Design Standards shall be modified to reflect for Oil and Gas Activities as follows:

- (11) Use- Oil and Gas Activities - Minimum Lot Area- 1 Acre.

F. 180-21 entitled Office Business Zone is hereby amended as follows:

1. 180-21C Permitted Uses shall be modified by adding sub paragraphs (14) through (16) as follows:

- (14) O&G Meter/Gathering Facility (Minor) (see Section 180-108)
- (15) O&G Meter/Gathering Facility (Major) (see Section 180-108)
- (16) Oil & Gas Pipelines (see Section 180-108)

2. 180-21F entitled Conditional Uses shall be modified by adding sub paragraphs (3) as follows:

- (3) Oil and Gas Well (see Section 180-108)

3. Section 180-21(I) entitled Design Standards shall be modified to reflect for Oil and Gas Activities as follows:

Use- Oil and Gas Activities - Minimum Lot Area - 1 Acre.

G. 180-22 entitled Industrial Zone is hereby modified as follows:

1. 180-22B Permitted Uses shall be modified by adding sub paragraphs (22) through (24) as follows:

- (22) O&G Meter/Gathering Facility (Minor) (see Section 180-108)
- (23) O&G Meter/Gathering Facility (Major) (see Section 180-108)
- (24) Oil & Gas Pipelines (see Section 180-108)

2. 180-22D entitled Conditional Uses shall be modified by adding sub paragraphs (3) through (5) as follows:

- (3) Oil and Gas Compressor Station (see Section 180-108)
- (4) Oil and Gas Processing Facility (see Section 180-108)
- (5) Oil and Gas Well (see Section 180-108)

3. Section 180-22E entitled Design Standards shall be modified to reflect for Oil and Gas Activities as follows:

Use- Oil and Gas Activities - Minimum Lot Area- 1 Acre.

H. 180-23 entitled Blue Mountain Conservation Zone is hereby amended as follows:

1. 180-23B Permitted Uses shall be modified by adding sub paragraphs (10) through (11) as follows:

- (10) O&G Meter/Gathering Facility (Minor) (see Section 180-108)
- (11) Oil & Gas Pipelines (see Section 180-108)

2. 180-23D entitled Conditional Uses shall be modified by adding sub paragraphs as follows:

- (3) Oil and Gas Well (see Section 180-108)

3. Section 180-23E entitled Design Standards shall be modified to reflect for Oil and Gas Activities as follows:

- (7) Use- Oil and Gas Activities - Minimum Lot Area- 1 Acre.

SECTION 3. Article V entitled Specific Criteria shall be amended by adding the following criteria for Oil and Gas Activities:

A. 180-108.1 Oil and Gas Meter/Gathering Facility (Minor)

- 1. Zoning Permit Application required.
- 2. Grading plan required.
- 3. Compliance with all applicable State and Federal law.
- 4. Fencing: J barriers and site orientation required.
- 5. Signage: Include a description of the proposed signage. Approval of signage by Emergency services. Applicant to comply with all applicable Township Ordinances.
- 6. Emergency Response Plan; Township Police Department, Fire Personnel, EMS approval and sign off required. Applicant to provide training to local departments.
- 7. Comply with Section 180.9 below.

B. 180-108.2 Oil and Gas Meter/Gathering Facility (Major)

1. Zoning permit application: To include a project narrative, Construction start/stop dates, a Site plan and any additional requirements by law.
2. Land Development plan.
3. Compliance with all applicable State and Federal law.
4. Buffering: Must comply with any and all requirements of 180-33 entitled "Commercial uses."
5. Fencing: 8 foot chain link fence, concrete footers, color/screening (green, brown, tan, black), J – barriers, site orientation.
6. Signage: Description of Proposed signage, emergency services review and approval; compliance with any and all Township Ordinances.
7. Lighting: A description of the proposed lighting provided on the plan; compliance with Township Ordinances.
8. Emergency Response Plan:
 - a. Township Police Department, Fire Department and EMS review, approval, and sign off.
 - b. Applicant to provide training to local departments.
9. Comply with section 180.9 below.

C. 180-108.3 Oil and Gas Pipelines

1. Zoning permit application: To include a project narrative, Construction start/stop dates, a Site plan and any additional requirements by law.
2. Compliance with all applicable State and Federal laws;
3. Truck Routes: Road Use plan, demonstrating minimal impact local roads, overweight vehicles prohibited unless road is properly bonded.
4. Emergency Response Plan:
 - a. Township Police Department, Fire Department and EMS review, approval and sign off.

- b. Application to provide training for local departments.
- 5. Comply with all conditions set forth in Section 108.10 below.

D. 180-108.4- Oil and Gas Compressor Station

- 1. Zoning permit application: To include a project narrative, Construction start/stop dates, a Site plan, site address assigned, and any additional requirements by law.
- 2. Land Development Plan.
- 3. Compliance with all applicable State and Federal Laws.
- 4. Setbacks:
 - a. 1000 feet from any dwellings, public spaces, churches, healthcare facilities;
 - b. 2500 feet from public and or private schools;
 - c. 100 feet from any property line and or right of way.
- 5. Buffering: Compliance with requirements of Section 180-33 for "Commercial Uses."
- 6. Fencing: 8 foot chain link fence, concrete footers, color/screening (green, brown, tan, black), gated facility, J-barriers.
- 7. Access Roads/Pads:
 - a. Easement/Right of Ways, 50 feet setback from property lines.
 - b. First 50 feet paved, remainder in stone;
 - c. Minimum width- 24 feet.
- 8. Truck Routes:
 - a. Road Use plan;
 - b. Road Use Log submitted to Township annually.

- c. Demonstrating minimal impact to local roads;
 - d. Overweight vehicles prohibited, unless road is properly bonded.
 - e. Turning templates provided for largest vehicles on site.
9. Signage: Description of Proposed signage, emergency services review and approval; compliance with any and all Township Ordinances.
10. Lighting: A description of the proposed lighting; compliance with Township Ordinances.
11. Emergency Response Plan:
- a. Township Police Department, Fire Department and EMS review, approval and sign off.
 - b. Applicant to provide training to all local departments.
12. Sound and Vibrations:
- a. Noise study/analysis.
 - b. Township nuisance limitations.
 - c. Ongoing monitoring/mitigation.
 - d. Required enclosures.
13. Operating Times: Limit days/hours of operations.
14. Comply with the below Section 180.8 below.

E. 180-108.5- Oil and Gas Processing Facility

1. Zoning permit application: To include a project narrative, Construction start/stop dates, a Site plan, site address assigned, and any additional requirements by law.

2. Land Development Plan.
3. Compliance with all applicable State and Federal Laws.
4. Setbacks:
 - a. 1000 feet from any dwellings, public spaces, churches, healthcare facilities;
 - b. 2500 feet from public and or private schools;
 - c. 100 feet from any property line and or right of way.
5. Buffering: Compliance with the requirements of Section 180-33 entitled "Commercial Uses."
6. Fencing: 8 foot chain link fence, concrete footers, color/screening (green, brown, tan, black), gated facilities, J – barriers.
7. Access Roads/Pads:
 - a. Easement/Right of Ways, 50 feet setback from property lines.
 - b. First 50 feet paved, remainder in stone;
 - c. Minimum width- 24 feet.
8. Truck Routes:
 - a. Road Use plan;
 - b. Road Use Log submitted to Township Annually.
 - c. Demonstrating minimal impact on local roads;
 - d. Overweight vehicles prohibited, unless road is properly bonded.
 - e. Turning templates provided for largest vehicles on site.

9. Signage: Description of Proposed signage, emergency services review and approval; compliance with any and all Township Ordinances.
10. Lighting: A description of the proposed lighting; compliance with Township Ordinances.
11. Emergency Response Plan:
 - a. Township Police Department, Fire Department and EMS review, approval and sign off.
 - b. Applicant to provide training to local departments.
12. Sound and Vibrations:
 - a. Noise study/analysis.
 - b. Township nuisance limitations.
 - c. Ongoing monitoring/mitigation.
 - d. Required enclosures.
13. Operating Times: Limit days/hours of operations.
14. Comply with the below Section 180.11 below.

F. 180-108.6 Oil and Gas Well

1. Zoning permit application: To include a project narrative, Construction start/stop dates, a site plan, site address assigned, and any additional requirements by law.
2. Land Development Plan.
3. Compliance with all applicable State and Federal Laws.
4. Setbacks:

- a. 1000 feet from any dwellings, public spaces, churches, healthcare facilities;
 - b. 2500 feet from public and or private schools;
 - c. 100 feet from any property line and or right of way.
5. Buffering: Compliance with requirements of Section 180-33 entitled "Commercial Uses."
6. Fencing: Gated Facility
7. Access Roads/Pads:
 - a. Easement/Right of Ways, 50 feet setback from property lines.
 - b. First 50 feet paved, remainder in stone;
 - c. Minimum width- 24 feet.
8. Truck Routes:
 - a. Road Use plan;
 - b. Road Use Log submitted to Township Annually.
 - c. Demonstrating minimal impact local roads;
 - d. Overweight vehicles prohibited, unless road is properly bonded.
 - e. Turning templates provided for largest vehicles on site.
9. Signage: Description of Proposed signage, emergency services review and approval; compliance with any and all Township Ordinances.
10. Emergency Response Plan:
 - a. Township Police Department, Fire Department and EMS review, approval and sign off.

b. Applicant to provide training to local departments.

11. Operating Times: Limit days/hours of operations.

12. Comply with the below Section 180.12 below.

G. 180-108.7 Water Impoundments:

1. Zoning permit application: To include a project narrative, Construction start/stop dates, a Site plan, site address assigned, and any additional requirements by law.

2. Land Development Plan.

3. Compliance with State and Federal Law.

4. Setbacks:

a. 1000 feet from any dwellings, public spaces, churches, healthcare facilities;

b. 2500 feet from public and or private schools;

c. 100 feet from any property line and or right of way.

5. Buffering: Compliance with the requirements of Section 180-33 for "Commercial Uses."

6. Fencing: 8 foot chain link fence, concrete footers, color/screening (green, brown, tan, black); gated facility.

7. Access Roads/Pads:

a. Easement/Right of Ways, 50 feet setback from property lines.

b. First 50 feet paved, remainder in stone;

c. Minimum width- 24 feet.

8. Truck Routes:

- a. Road Use plan;
 - b. Road Use log submitted to Township Annually.
 - c. Demonstrating minimal impact local roads;
 - d. Overweight vehicles prohibited, unless road is properly bonded.
 - e. Turning template is provided for largest vehicles on site.
9. Signage: Description of Proposed signage, emergency services review and approval; compliance with any and all Township Ordinances.
 10. Emergency Response Plan:
 - a. Township Police Department, Fire Department and EMS review, approval and sign off.
 - b. Applicant to provide training to local departments.
 12. Operating Times: Limit days/hours of operations.

180-108.8 Oil and Gas Compressor Stations Specific Requirements.

A company shall obtain the permits required by this ordinance, which are in addition to, and are not in lieu of, any permit that may be required by any other governmental or regulating agency. The company must adhere to the following regulations:

1. Building Permits, Zoning Certificates and Certificates of Occupancy:

Building Permits, Zoning Certificates and Certificates of Occupancy, where applicable, shall be obtained from the Township Zoning Officer and applications must include:

- a. A description of proposed site or modification to an existing site with identification whether the site is located in a wetland or floodplain; Anticipated construction start and completion date;

b. A plot plan of the site showing; a clearly marked scale, all property lines, all buildings, water wells, water sources and rights-of-way;

c. Applicant shall apply for a Township assigned address at the time of building permit application;

d. Any and all additional requirements that may be modified or added by subsequent ordinance or required by State and/or Federal Laws.

2. **Grading Permit:** A Grading Permit, if applicable, must be obtained per Section 180-47 of the Township Zoning Ordinance prior to any grading or earth moving and must include evidence of an approved Soil Erosion and Sedimentation Control Plan.

3. **State and Federal Compliance.** The applicant shall comply with all applicable State and Federal regulations and shall show evidence of obtaining the required State and/or Federal permits, including proof of insurability, before initiating any work and maintaining the required permits throughout the duration of all operations. The applicant shall notify the Township immediately of any suspension or revocation of the required State and/or Federal permits. Upon notification of said suspension or revocation the Township issued permits will hereby be deemed suspended or revoked until State and/or Federal compliance is reached.

4. **Setbacks.** The following minimum setback distances must be adhered to:

a. The minimum distance to any protected use shall be one thousand (1,000) feet;

b. The minimum distance to any Public or Private School shall be two thousand five hundred (2,500) feet;

c. A Setback Reduction Approval may be authorized by the Lehigh Township Board of Supervisors as part of the Conditional Use approval process, provided that

the applicant can submit compelling evidence that such a reduction is absolutely necessary and will not be detrimental to the purposes of this ordinance;

d. All above ground equipment including compressor engines and any structure in which they are enclosed must be set back a minimum of one hundred (100) feet from any adjacent property lines or rights-of-way.

5. **Screening and Landscaping:** The standards in Section 180-33 shall be determined during the Conditional Use Hearing.

6. **Fence Standards.** A secured entrance gate on the access road shall be required and all gates are to be kept locked when the operator or its employees are not on the premises. All storage tanks, separation facilities, or other mechanical or production equipment on the operation site shall be completely enclosed by a permanent chain link fence. Standards for the chain link fence and secured gate are as follows:

- a. The chain link fence shall be at least eight (8) feet in height;
- b. Support posts shall be set in concrete and shall be imbedded into the ground to a depth sufficient to maintain the stability of the fence;
- c. The chain link shall be dark green or black steel wire;
- d. The chain link fence shall have, at a minimum, eleven (11) gauge thickness;
- e. Posts and rails shall be black or dark green standard socket construction or similar design;
- f. Tension rods shall be three-eighths (3/8) inch round steel bolt stock. Adjustable tighteners shall be turnbuckle or equivalent having a six (6) inch minimum

take-up. Tension bars shall have minimum thickness of one-fourth (1/4) by three-fourths (3/4) inch;

- g. All chain link fences shall be equipped with at least two (2) gates.

At least one of the gates shall meet the following specifications:

- i. The gates shall be of black or dark green chain link construction that meets the applicable specifications, or of other approved material that, for safety reasons, shall be at least as secure as the chain link fence;

- ii. Fence screening. Fencing shall be equipped with interlocking opaque slats, mesh, or other screening material approved by township. Color of materials shall be uniform and complementary to the color of the fence and painted equipment. Approved colors shall include, but not be limited to green, brown, tan, and black.

7. **Engines.** Compressors and other power driven equipment shall utilize sparkless electric motors, when practicable, as an alternative to internal-combustion engines, unless the applicant can demonstrate that the alternative engines are not inconsistent with the objectives of any Township ordinance. All electrical installations and equipment shall conform to Township ordinances and the applicable national codes.

8. **Access Roads:** Access to any facility shall be arranged to minimize danger to traffic, nuisance to surrounding properties and to maintain the integrity of Township roads. The following standards apply:

- a. Any newly established private easements/roadways constructed on the parcel containing the facility shall be located at least fifty (50) feet from any property line unless written consent is obtained from the adjoining property owner(s);

b. The access road to the facility, beginning with its intersection with a Township road, shall be paved for the first fifty (50) feet and be constructed with an additional one hundred fifty (150) feet of limestone in a manner that would reasonably minimize water, sediment or debris carried onto any public road. If the access road or access way is less than two hundred (200) feet in length, the entire access road or access way shall meet these conditions. This shall be in place prior to the commencement of any facility operations;

c. All roads and access ways shall be constructed and maintained to prevent dust and mud from the surrounding area. A method of dust abatement shall be utilized during dry weather and under no circumstances shall brine water, Sulphur water or water in mixture with any type of hydrocarbon be used for dust abatement.

9. **Truck Routes:** The applicant shall submit a road use plan showing the proposed routes of all trucks to be utilized for hauling equipment, supplies and the like and the estimated weights of those trucks and the estimated number of trucks entering and exiting the facility on a daily basis, as well as, keep a record / log of actual use which may be requested from time to time by the Board of Supervisors. In conjunction with the Township, applicant shall design the hauling routes to and from the facility to minimize the impact on local roads. At no time shall any overweight vehicle travel upon any Township roads, or portion thereof, other than the specified portion of Township roads for which security has been provided.

10. **Road Maintenance Agreements Required:** The applicant shall apply for a road maintenance agreement, pay the prescribed fee, and adhere to all conditions set forth in the agreement.

11. **Fee Reimbursement.** For the period during which construction is taking place, the applicant agrees to reimburse the Township for all reasonable and direct professional

consultant fees incurred by the Township related to the site inspection, including but not limited to, the Township Engineer, Township Solicitor and any other reasonable and direct consultant fees incurred for the review and approval process, and for any specialized work called for in the permit.

12. **Signage, Site identification:** The facility signage shall be clearly visible for all 911 Emergency Services, and must comply with Township Sections 180-38, at the location where the access road intersects with the Township or State owned road and at the entrance gate to each facility. The signage must include:

- a. Applicant name
- b. Unit name
- c. Township assigned address
- d. Emergency contact phone number

13. **Lights:** No applicant shall permit any lights located on any operation site to be directed in such a manner so that they shine directly on a public road, protected use, adjacent property or property in the general vicinity of the operation site. To the extent practicable, and taking into account safety considerations, site lighting shall be directed downward and internally so as to avoid glare on public roads, protected uses, and adjacent dwellings and buildings. Exterior lights shall be turned off except when personnel are working on site or motion sensors are activated.

14. **Emergency Response Plan:** Prior to development, applicant shall provide to the Township Police Department, Fire Department and Zoning Officer, a copy of its Emergency Response Plan. Also, applicant / operator shall, at its sole cost and expense, provide to Emergency Services, appropriate site orientation with adequate information and on-going training on dealing with any potential dangerous conditions that may result from development activities.

15. **Enclosure:** Noise generating equipment, exceeding Township ordinance standards, shall be fully enclosed in a sound reduction structure that conforms to the character of the zone in which it exists. All applicable development plans, permits and regulations shall apply to the enclosure. During normal operations, the structure shall remain fully enclosed, with all doors and windows remaining closed unless during times of egress.

16 **Supplemental Regulations:** Facility must meet all of the Supplemental Regulations of the Township Zoning for each zoning district for which applicant proposes to install an oil and gas use as well as the regulations for conditional uses set forth in Section 180-128.

180-108.9 Oil and Gas Metering Stations / Above Ground Gathering Facilities.

A company desiring to operate a Metering Station / Above Ground Gathering Facility shall obtain the permits required by this ordinance, which are in addition to, and are not in lieu of, any permit that may be required by any other governmental or regulating agency. The company must adhere to the following regulations:

1. **Building Permits, Zoning Certificates and Certificates of Occupancy:** Building Permits, Zoning Certificates and Certificates of Occupancy, where applicable, shall be obtained from the Township Zoning Officer and applications must include:
 - a. A description of proposed site or modification to an existing site with identification whether the site is located in a wetland or floodplain;
 - b. Anticipated construction start and completion date;
 - c. A plot plan of the site showing, a clearly marked scale, all property lines, all buildings, water wells, water sources and rights-of-way;
 - d. Applicant shall apply for a Township assigned address at the time of building permit application;

e. Any and all additional requirements that may be modified or added by subsequent ordinance or required by Pennsylvania law.

2. **Grading Permit:** A Grading Permit, if applicable, must be obtained per Section 180-47 of the Subdivision and Land Development Ordinance prior to any grading or earth moving and must include evidence of an approved Soil Erosion and Sedimentation Control Plan.

3. **State and Federal Compliance.** The applicant shall comply with all applicable State and Federal regulations and shall show evidence of obtaining the required State and/or Federal permits, including proof of insurability, before initiating any work and maintaining the required permits throughout the duration of all operations. The applicant shall notify the Township immediately of any suspension or revocation of the required State and/or Federal permits. Upon notification of said suspension or revocation the Township issued permits will hereby be deemed suspended or revoked until State and/or Federal compliance is reached.

4. **Setbacks.** The following minimum setback distances must be adhered to:

- a. The minimum distance to any protected use shall be one thousand (1,000) feet;
- b. The minimum distance to any Public or Private School shall be two thousand five hundred (2,500) feet;
- c. The above ground equipment located within the facility must be set back a minimum of one hundred (100) feet from any adjacent property lines or rights-of-way.

5. **Screening and Landscaping:** Metering Stations / Above Ground Gathering Facilities must, at a minimum, abide by the standards in Section 180-33.

6. **Fence Standards.** A secured entrance gate shall be required and are to be kept locked when the operator or its employees are not on the premises. Standards for the chain link fence and secured gate are as follows:

- a. The chain link fence shall be at least eight (8) feet in height;
- b. Support posts shall be set in concrete and shall be imbedded into the ground to a depth sufficient to maintain the stability of the fence;
- c. The chain link shall be dark green or black steel wire;
- d. The chain link fence shall have, at a minimum, eleven (11) gauge thickness;
- e. Posts and rails shall be black or dark green standard socket construction or similar design;
- f. Tension rods shall be three-eighths (3/8) inch round steel bolt stock. Adjustable tighteners shall be turnbuckle or equivalent having a six (6) inch minimum take-up. Tension bars shall have minimum thickness of one-fourth (1/4) by three-fourths (3/4) inch;
- g. All chain link fences shall be equipped with at least two (2) gates. At least one (1) of the gates shall meet the following specifications:
 - i. The gates shall be of black or dark green chain link construction that meets the applicable specifications, or of other approved material that, for safety reasons, shall be at least as secure as the chain link fence;
 - ii. Fence screening. Fencing shall be equipped with interlocking opaque slats, mesh, or other screening material approved by township. Color of materials shall be

uniform and complementary to the color of the fence and painted equipment. Approved colors shall include, but not be limited to green, brown, tan, and black.

7. **Access Roads:** Access to the site shall be arranged to minimize danger to traffic, nuisance to surrounding properties and to maintain the integrity of Township roads. The following standards shall apply:

a. Any newly established private easements/roadways constructed on the parcel containing the facility shall be located at least fifty (50) feet from any property line unless written consent is obtained from the adjoining property owner(s);

b. The access road to the facility, beginning with its intersection with a Township road, shall be paved for the first fifty (50) feet and be constructed with an additional one hundred fifty (150) feet of limestone in a manner that would reasonably minimize water, sediment or debris carried onto any public road. If the access road or access way is less than two hundred (200) feet in length, the entire access road or access way shall meet these conditions. This shall be in place prior to the commencement of any facility operations;

c. All roads and access ways shall be constructed and maintained to prevent dust and mud from the surrounding area. A method of dust abatement shall be utilized during dry weather and under no circumstances shall brine water, Sulphur water or water in mixture with any type of hydrocarbon be used for dust abatement.

8. **Fee Reimbursement.** For the period during construction, the applicant agrees to reimburse the Township for all reasonable and direct professional consultant fees incurred by the Township related to the site inspection, including but not limited to, the Township Engineer, Township Solicitor and any other reasonable and direct consultant fees

incurred for the review and approval process, and for any specialized work called for in the permit and its conditions.

9. **Signage, Site identification:** The facility signage shall be clearly visible for all 911 Emergency Services, and comply with Zoning Section 180-38 at the location where the access road intersects with the Township or State owned road and at the entrance gate to each facility. In addition to the specifications of Chapter 61, the signage must include:

- a. Applicant name
- b. Site name
- c. Township assigned address
- d. Emergency contact phone number

10. **Lights:** No applicant shall permit any lights located on any operation site to be directed in such a manner so that they shine directly on a public road, protected use, adjacent property or property in the general vicinity of the operation site. To the extent practicable, and taking into account safety considerations, site lighting shall be directed downward and internally so as to avoid glare on public roads, protected uses, and adjacent dwellings and buildings. Exterior lights shall be turned off except when personnel are working on site or motion sensors are activated.

11. **Emergency Response Plan:** Prior to development, applicant shall provide to the Lehigh Township Police Department, Fire Department and Zoning Officer, a copy of its Emergency Response Plan. Also, applicant / operator shall, at its sole cost and expense, provide to Emergency Services, appropriate site orientation with adequate information and on-going training on dealing with any potential dangerous conditions that may result from development activities.

12. **Engine and Motor Enclosures:** All engines and motors used to facilitate the movement of gas or regulate the pressure of gas must be enclosed in a permanent structure.

13. **Supplemental Regulations:** Facility must meet all of the Supplemental Regulations of the Township Zoning for each zoning district for which applicant proposes to install an oil and gas use as well as the regulations for conditional uses set forth in Section 180-128.

180-108.10 Oil and Gas Pipelines.

A company desiring to construct Oil & Gas Pipelines shall furnish to the Township copies showing evidence that it has obtained and maintains in good standing all required State and/or Federal permits, including proof of bonding to operate pipelines, when such bonding is required. Any suspension or revocation of any required State or Federal approvals or permits shall be reported to the Township immediately. Retail service lines from the main line to the residential or commercial structure are exempt from this section. The company must adhere to the following regulations:

1. **Pipeline Information:** The Company shall submit to the Township, prior to construction, on a form provided by the Township, the following:
 - a. The origin point and the destination of the segment of the pipeline to be constructed;
 - b. A description of the substance to be transported through the pipeline and a copy of the material safety data sheet (MSDS);
 - c. As-built drawings of the segment of pipeline constructed;
 - d. Must meet all of the Supplemental Regulations of each, Zoning district where applicable;
 - e. A copy of the site reclamation plans;

f. The owner-operator must participate in PA One-Call;

g. The company shall exert reasonable efforts to maintain setbacks as indicated in this paragraph. Setback requirements from gas pipelines for general residential, commercial, and industrial buildings shall be a minimum of fifty (50) feet. The setback distance shall be measured from the nearest edge of the pipeline corridor. Setback distances shall be a minimum of one hundred (100) feet for all principle buildings used for community recreation services, private or public education, spectator entertainment or sports, exhibition and convention facilities, major health services, religious assemblies, or facilities used for public gatherings.

2. **Grading Permit:** A Grading Permit, if applicable, must be obtained per Section 180-47 of the Zoning Ordinance, prior to any grading or earth moving and must include evidence of an approved Soil Erosion and Sedimentation Control Plan.

3. **State and Federal Compliance.** The applicant shall comply with all applicable State and Federal regulations and shall show evidence of obtaining the required State and/or Federal permits, including proof of insurability, before initiating any work and maintaining the required permits throughout the duration of all operations. The applicant shall notify the Township immediately of any suspension or revocation of the required State and/or Federal permits. Upon notification of said suspension or revocation the Township issued permits will hereby be deemed suspended or revoked until State and/or Federal compliance is reached.

4. **Supplemental Regulations:** Facility must meet all of the Supplemental Regulations of the Township Zoning for each zoning district for which applicant proposes to install an oil and gas use as well as the regulations for conditional uses set forth in Section 180-128.

180-108.11 Oil and Gas Processing Facilities.

A company desiring to operate an Oil and Gas Processing Facility shall obtain the permits required by this ordinance, which are in addition to, and are not in lieu of, any permit that may be required by any other governmental or regulating agency. The company must adhere to the following regulations:

1. **Building Permits, Zoning Certificates and Certificates of Occupancy:**

Building Permits, Zoning Certificates and Certificates of Occupancy, where applicable, must be obtained from the Township Zoning Officer and applications must include:

- a. A description of proposed site or modification to an existing site with identification whether the site is located in a wetland or floodplain;
- b. Anticipated construction start and completion date;
- c. A plot plan of the site showing, a clearly marked scale, all property lines, all buildings, water wells, water sources, rights-of-way;
- d. Applicant shall apply for a Township assigned address at the time of building permit application;
- e. Any and all additional requirements that may be modified or added by subsequent ordinance or required by Pennsylvania law.

2. **Grading Permit:** A Grading Permit, if applicable, must be obtained per Section 180-47 of the Zoning Ordinance, prior to any grading or earth moving and must include evidence of an approved Soil Erosion and Sedimentation Control Plan.

3. **State and Federal Compliance.** The applicant shall comply with all applicable State and Federal regulations and shall show evidence of obtaining the required State and/or Federal permits, including proof of insurability, before initiating any work and maintaining the required permits throughout the duration of all operations. The applicant shall

notify the Township immediately of any suspension or revocation of the required State and/or Federal permits. Upon notification of said suspension or revocation the Township issued permits will hereby be deemed suspended or revoked until State and/or Federal compliance is reached.

4. **Setbacks.** The following minimum setback distances must be adhered to:

a. The minimum distance to any protected use shall be one thousand (1,000) feet;

b. The minimum distance to any Public or Private School shall be two thousand five hundred (2,500) feet;

c. A Setback Reduction Approval may be authorized by the Mount Pleasant Township Board of Supervisors as part of the Conditional Use approval process, provided that the applicant can submit compelling evidence that such a reduction is absolutely necessary and will not be detrimental to the purposes of this ordinance;

d. All above ground equipment including compressor engines and any structure in which they are enclosed must be set back a minimum of one hundred (100) feet from any adjacent property lines or rights-of-way.

5. **Screening and Landscaping:** The standards in Section 180-33 shall be determined during the Conditional Use Hearing.

6. **Fence Standards.** A secured entrance gate on the access road shall be required and all gates are to be kept locked when the operator or its employees are not on the premises. All storage tanks, separation facilities, or other mechanical or production equipment on the operation site shall be completely enclosed by a permanent chain link fence. Standards for the chain link fence and secured gate are as follows:

a. The chain link fence shall be at least eight (8) feet in height;

b. Support posts shall be set in concrete and shall be imbedded into the ground to a depth sufficient to maintain the stability of the fence;

c. The chain link shall be dark green or black steel wire;

d. The chain link fence shall have, at a minimum, eleven (11) gauge thickness;

e. Posts and rails shall be black or dark green standard socket construction or similar design;

f. Tension rods shall be three-eighths (3/8) inch round steel bolt stock. Adjustable tighteners shall be turnbuckle or equivalent having a six (6) inch minimum take-up. Tension bars shall have minimum thickness of one-fourth (1/4) by three-fourths (3/4) inch;

g. All chain link fences shall be equipped with at least two (2) gates. At least one (1) of the gates shall meet the following specifications:

i. The gates shall be of black or dark green chain link construction that meets the applicable specifications, or of other approved material that, for safety reasons, shall be at least as secure as the chain link fence;

ii. Fence screening. Fencing shall be equipped with interlocking opaque slats, mesh, or other screening material approved by township. Color of materials shall be uniform and complementary to the color of the fence and painted equipment. Approved colors shall include, but not be limited to green, brown, tan, and black.

7. **Engines.** Compressors and other power driven equipment shall utilize sparkless electric motors, when practicable, as an alternative to internal-combustion engines, unless the applicant can demonstrate that the alternative engines are not inconsistent with the

objectives of any Township ordinance. All electrical installations and equipment shall conform to Township ordinances and the applicable national codes.

8. **Access Roads:** Access to any facility shall be arranged to minimize danger to traffic, nuisance to surrounding properties and to maintain the integrity of Township roads. The following standards shall apply:

a. Any newly established private easements/roadways constructed on the parcel containing the facility shall be located at least fifty (50) feet from any property line unless written consent is obtained from the adjoining property owner(s);

b. The access road to the facility, beginning with its intersection with a Township road, shall be paved for the first fifty (50) feet and be constructed with an additional one hundred fifty (150) feet of limestone in a manner that would reasonably minimize water, sediment or debris carried onto any public road. If the access road or access way is less than two hundred (200) feet in length, the entire access road or access way shall meet these conditions. This shall be in place prior to the commencement of any facility operations;

c. All roads and access ways shall be constructed and maintained to prevent dust and mud from the surrounding area. A method of dust abatement shall be utilized during dry weather and under no circumstances shall brine water, Sulphur water or water in mixture with any type of hydrocarbon be used for dust abatement.

9. **Truck Routes:** The applicant shall submit a road use plan showing the proposed routes of all trucks to be utilized for hauling equipment, supplies and the like and the estimated weights of those trucks and the estimated number of trucks entering and exiting the facility on a daily basis, as well as, keep a record / log of actual use which may be requested

from time to time by the Board of Supervisors. In conjunction with the Township, applicant shall design the hauling routes to and from the facility to minimize the impact on local roads. At no time shall any overweight vehicle travel upon any Township roads, or portion thereof, other than the specified portion of Township roads for which security has been provided.

10. **Road Maintenance Agreements Required:** The applicant shall apply for a road maintenance agreement, pay the prescribed fee, and adhere to all conditions set forth.

11. **Fee Reimbursement.** For the period during which construction is taking place, the applicant agrees to reimburse the Township for all reasonable and direct professional consultant fees incurred by the Township related to the site inspection, including but not limited to, the Township Engineer, Township Solicitor and any other reasonable and direct consultant fees incurred for the review and approval process, and for any specialized work called for in the permit and its conditions.

12. **Signage, Site identification:** The facility signage shall be clearly visible for all 911 Emergency Services, and Section 180-38 of the Zoning Ordinance, at the location where the access road intersects with the Township or State owned road and at the entrance gate to each facility. The signage must also include:

- a. Applicant name
- b. Unit name
- c. Township assigned address
- d. Emergency contact phone number

13. **Lights:** No applicant shall permit any lights located on any operation site to be directed in such a manner so that they shine directly on a public road, protected use, adjacent property or property in the general vicinity of the operation site. To the extent practicable, and taking into account

safety considerations, site lighting shall be directed downward and internally so as to avoid glare on public roads, protected uses, and adjacent dwellings and buildings. Exterior lights shall be turned off except when personnel are working on site or motion sensors are activated.

14. **Emergency Response Plan:** Prior to development, applicant shall provide to the Township Police Department, Fire Department and Zoning Officer, a copy of its Emergency Response Plan. Also, applicant / operator shall, at its sole cost and expense, provide to Emergency Services, appropriate site orientation with adequate information and on-going training on dealing with any potential dangerous conditions that may result from development activities.

15. **Enclosure:** Noise generating equipment, exceeding Township ordinance standards, shall be fully enclosed in a sound reduction structure that conforms to the character of the zone in which it exists. All applicable development plans, permits and regulations shall apply to the enclosure. During normal operations, the structure shall remain fully enclosed, with all doors and windows remaining closed unless during times of egress.

16. **Supplemental Regulations:** Facility must meet all of the Supplemental Regulations of the Township Zoning Ordinance for each zoning district for which applicant proposes to install an oil and gas use as well as the regulations for conditional uses set forth in Section 180-128.

180-108.12 Oil and Gas Wells.

A company desiring to engage in any oil and/or natural gas well site construction, drilling, hydraulic fracturing, and/or site restoration associated with a gas well of any depth; water impoundment and other fluid storage, and transportation used for such activities shall obtain a Zoning Certificate from the Township. The company must adhere to the following regulations:

1. **Zoning Certificate:** Zoning Certificates must be obtained from the Township Zoning Officer prior to commencement of drilling and applications must include:

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 state 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 proposed well and verification that the site is not located in a wetland or floodplain;

d. The name and address of each property owner of all property within one thousand feet (1000) of the proposed well, and verification that all above referenced property owners have been notified in writing of the drilling activity;

e. Anticipated construction start and completion date;

f. A plot plan of the site showing, a clearly marked scale, all property lines, all buildings, water wells, water sources and rights-of-way.

2. **Grading Permit:** A Grading Permit, if applicable, must be obtained per Section 180-47 of the Zoning Ordinance prior to any grading or earth moving and must include evidence of an approved Soil Erosion and Sedimentation Control Plan.

3. **State and Federal Compliance.** The applicant shall comply with all applicable State and Federal regulations and shall show evidence of obtaining the required State and/or Federal permits, including proof of insurability, before initiating any work and maintaining the required permits throughout the duration of all operations. The applicant shall notify the Township immediately of any suspension or revocation of the required State and/or

Federal permits. Upon notification of said suspension or revocation the Township issued permits will hereby be deemed suspended or revoked until State and/or Federal compliance is reached.

4. **Setbacks.** The following setbacks are to be addressed during the Conditional Use hearing process and shall include but not be limited to:

- a. The distance to any protected use;
- b. The distance to any Public or Private School;
- c. The distance to any adjacent property lines or rights-of-way.

5. **Screening:** Applicant to comply with Section 180-33 of the Zoning Ordinance Temporary screening panels, of a style and material used for noise abatement, shall be erected around the entire drilling site before commencement of the active drilling phase and shall remain in effect until the well is drilled and production has commenced. A waiver of the screening panels can be requested as part of the Conditional Use approval process provided that the applicant can submit compelling evidence that such a waiver is absolutely necessary and will not be detrimental to the purposes of this ordinance.

6. **Access Roads:** Access to any well site shall be arranged to minimize danger to traffic, nuisance to surrounding properties and to maintain the integrity of Township roads. The following shall apply:

a. Any newly established private easements/roadways constructed on the parcel containing the well site shall be located at least fifty (50) feet from any property line unless written consent is obtained from the adjoining property owner(s);

b. The access road to the well site, beginning with its intersection with a Township road, shall be paved for the first fifty (50) feet and be constructed with an additional one hundred fifty (150) feet of limestone in a manner that would reasonably minimize water, sediment or

debris carried onto any public road. If the access road or access way is less than two hundred (200) feet in length, the entire access road or access way shall meet these conditions. This shall be in place prior to the commencement of drilling operations;

c. All roads and access ways shall be constructed and maintained to prevent dust and mud from the surrounding area. A method of dust abatement shall be utilized during dry weather and under no circumstances shall brine water, sulphur water or water in mixture with any type of hydrocarbon be used for dust abatement.

7. **Truck Routes:** The applicant shall submit a road use plan showing the proposed routes of all trucks to be utilized for hauling equipment, supplies and the like and the estimated weights of those trucks and the estimated number of trucks entering and exiting the facility on a daily basis, as well as, keep a record / log of actual use which may be requested from time to time by the Board of Supervisors. In conjunction with the Township, applicant shall design the hauling routes to and from the facility to minimize the impact on local roads. At no time shall any overweight vehicle travel upon any Township roads, or portion thereof, other than the specified portion of Township roads for which security has been provided.

8. **Road Maintenance Agreements Required:** The applicant shall apply for a road maintenance agreement, pay the prescribed fee, and adhere to all conditions set forth.

9. **Fee Reimbursement.** The applicant agrees to reimburse the Township for all reasonable and direct professional consultant fees incurred by the Township related to the site inspection, including but not limited to, the Township Engineer, Township Solicitor and any other reasonable and direct consultant fees incurred for the review and approval process, and for any specialized work called for in the permit and its conditions.

10. **Signage, Site identification:** The well site signage shall be clearly visible for all 911 Emergency Services, 180-38 of the Zoning Ordinances, at the location where the access road intersects with the Township or State owned road and at the entrance to each well site. In the event there are multiple well sites accessible from a single entrance point, this information must be clearly posted and visible as to abate possible confusion. The signage must include:

- a. Applicant name
- b. Unit name
- c. Township assigned address
- d. Emergency contact phone number

11. **Lights:** No applicant shall permit any lights located on any operation site to be directed in such a manner so that they shine directly on public road, protected use, adjacent property or property in the general vicinity of the operation site. To the extent practicable, and taking into account safety considerations, site lighting shall be directed downward and internally so as to avoid glare on public roads, protected uses, and adjacent dwellings and buildings. Exterior lights shall be turned off except when personnel are working on site or motion sensors are activated.

12. **Operating Times:** All site preparation and pre-production activities on the site, as well as access road maintenance, site reclamation activity and other on-going ancillary activities shall be permissible Mondays through Saturdays (with the exception of federal and/or state holidays) between the hours of 7:00 AM and 7:00 PM, or as otherwise authorized by the Board of Supervisors. The active drilling phase is exempt from this paragraph.

13. Water Impoundments, Fresh / Waste: Applicant shall register any fresh water or waste water impoundment with the Township prior to the construction. Applicant shall adhere to the following:

- a. Impoundment must be five hundred (500) feet from property lines;
- b. A copy of the PA DEP impoundment permit, if applicable, must be provided at the time of application or when available;
- c. Chain link fencing must be installed around any impoundment and shall be at least eight (8) feet in height;
- d. Thirty (30) day advance written notice must be provided when transitioning from a fresh water to a waste water impoundment and applicant must:
 - i. Provide a copy of the revised PA DEP permit when available;
 - ii. Adhere to all applicable supplemental zoning criteria in the designated zoning district.
- e. Bird Netting shall be utilized;
- f. Applicant shall provide a copy of the final closure certificate;
- g. Install Hazardous Waste warning signs around waste water impoundments;
- h. Any PA DEP reportable spills, leaks, malfunctions or similar incidents must be reported immediately to the Township.

14. **Emergency Response Plan:** Prior to development, applicant shall provide to the Township Police Department, Fire Department and Zoning Officer, a copy of its Emergency Response Plan. Also, applicant / operator shall, at its sole cost and expense, provide to Emergency

Services, appropriate site orientation with adequate information and on-going training on dealing with any potential dangerous conditions that may result from development activities and shall be made available at least annually during the period when the applicant / operator anticipates drilling activity within the Township.

15. **Engine and Motor Enclosures:** All engines and motors not involved in the active drilling / fracturing phase but used to facilitate the movement of gas or regulate the pressure of gas must be enclosed in a permanent structure.

16. **Supplemental Regulations:** Facility must meet all of the Supplemental Regulations of the Township Zoning for each zoning district for which applicant proposes to install an oil and gas use as well as the regulations for conditional uses set forth in Section 180-128.

17. **Supplemental Regulations:** Well sites must meet all of the Supplemental Regulations of the Township Zoning Ordinances for each zoning district for which applicant proposes to install and in addition applicant must meet all the regulations for conditional uses set forth in Section 180-128.

SECTION 4: Repealer. All other Township Ordinances or parts thereof, including but not limited to the Lehigh Township Zoning Ordinance of 2002, as amended, that were adopted prior to this Ordinance and are in conflict with this Ordinance are hereby repealed.

SECTION 5: Severability. The provisions of the Ordinance shall be severable, and if any provision hereof shall be declared unconstitutional, illegal or invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent of the Township that this ordinance would be amended as if such unconstitutional, illegal or invalid provision or provisions had not been included herein.

SECTION 10. Effective Date:

This Ordinance shall become effective upon enactment.

ENACTED AND ORDAINED this _____ day of _____, 2018.

ATTEST

LEHIGH TOWNSHIP

Secretary.

Chairman, Board of Supervisors