

- (g) Water Pollution - Water pollution in violation of any standards established by the Pennsylvania Department of Environmental Resources shall not be permitted.

ARTICLE 4

SUPPLEMENTAL REGULATIONS

- 401 APPLICATION OF REGULATIONS. The regulations specified in this Article shall apply in all zoning districts and overlay zoning districts in addition to all other applicable regulations.
- 402 NON-CONFORMING USES
- 402.1 CONTINUATION. A non-conforming use may be continued, but may not be extended, expanded, or changed unless to a conforming use, except as permitted by the Zoning Hearing Board in accordance with the following guidelines:
- (a) The new use will correspond more closely to the use permitted in the district.
 - (b) The changed use will be in keeping with the character of the neighborhood in which it is located.
- 402.2 RECONSTRUCTION. Any structure containing a non-conforming use which is damaged by fire or other casualty may be reconstructed and used as before if such reconstruction is performed within 12 months of such casualty, except that if a structure is damaged by flooding, land sliding or subsidence it shall not be reconstructed except in conformity with the provisions of the overlay district in which it is located.
- 402.3 ABANDONMENT. If any non-conforming use ceases or is abandoned for a period of one year, such non-conforming use shall not be resumed.
- 402.4 CERTIFICATE REQUIRED. A zoning certificate must be obtained within one year by the owner of any non-conforming use as evidence that the use lawfully existed prior to the adoption of the provisions which made the use non-conforming.
- 402.5 LIMITATION OF REGULATIONS. It is not the intent of this section to restrict the continuation, reconstruction or resumption of uses which are permitted as special exceptions within a zoning district or structures which are used for permitted uses but which are non-conforming only with respect to the

dimensional requirements of the district in which they are located.

403 ACCESSORY USES

403.1 EXTERIOR STORAGE OF MOTOR VEHICLES. The exterior storage of not more than one motor vehicle which does not have a current inspection sticker shall be considered an accessory use, but two or more shall constitute an auto salvage business and shall not be permitted as an accessory use.

404 FLOOR AREA REQUIREMENTS, SINGLE AND TWO-FAMILY DWELLING

The floor area per family in a single or two-family dwelling erected on any lot shall not be less than that established by the following table.

In determining floor area, only area used for living quarters shall be counted. Utility rooms, garages, carports, porches, laundry areas, heater rooms, and basements are to be excluded.

<u>No. of Bedrooms in Each Family Unit</u>	<u>Minimum Floor Area per Each Family Unit</u>
	(square feet)
1	650
2	750
3	850
4	950
5	1050

405 OFF-STREET PARKING REQUIREMENTS are established hereunder:

<u>Use</u>	<u>Parking Spaces Required</u>
Dwelling	Two for each dwelling unit
Churches, theater, school	One for every four seats in largest meeting room
Stores, shops, restaurants, clubs, funeral homes	One for every 100 square feet of public floor space
Business services, professional offices	One for every 200 square feet of net floor area
Mining or light industrial	One for every 2 employees

working at any one time.

405.1 CONSTRUCTION. Any off-street parking area for more than five vehicles shall be graded for proper drainage and surfaced so as to provide a durable and dustless surface.

405.2 LIGHTING. Any lighting used to illuminate any off-street parking lot shall be so arranged as to direct or reflect the light away from any adjoining premises.

405.3 LANDSCAPING. Any parking lot for more than five vehicles which is located within or adjoins any property in a Residential or Village district shall be landscaped around its periphery with shrubbery or trees designed to screen the view of the parking lot from adjacent properties.

406 PERFORMANCE STANDARDS

406.1 APPLICATION. All uses shall comply with the requirements of this section. Compliance shall be determined by the Zoning Officer for permitted uses, by the Zoning Hearing Board for special exception uses and by the Board of Township Supervisors for conditional uses. In order to determine whether a proposed use will conform to the requirements of this ordinance, the township may require evaluation by a qualified consultant, whose cost for services shall be borne by the applicant.

406.2 FIRE PROTECTION. Fire prevention and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling of flammable or explosive materials is carried on.

406.3 ELECTRICAL DISTURBANCES. No activity shall cause electrical disturbances adversely affecting radio, television or other equipment in the vicinity.

406.4 NOISE. Noise which is determined to be objectionable because of volume, frequency or beat shall be muffled or otherwise controlled.

406.5 VIBRATIONS. Excessive vibrations in any district shall be prohibited.

406.6 ODORS. No malodorous gas or matter which is discernable on any adjoining lot or property shall be permitted.

406.7 AIR POLLUTION. No pollution of air by flyash, dust, smoke, vapors, or any substance which is harmful to health, animals, vegetation or other property shall be permitted.

- 406.8 GLARE. Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.
- 406.9 EROSION. No erosion by wind or water which will carry objectionable substances onto neighboring properties shall be permitted.
- 406.10 WATER POLLUTION. Water pollution in violation of any standards established by the Pennsylvania Department of Environmental Resources shall not be permitted.
- 406.11 LIMITATION OF REGULATIONS OF AGRICULTURAL USES. The requirements of this section shall not apply to farming and agricultural activities in A-1 and R-1 districts, provided that such activities are in compliance with all other applicable local, state and federal laws.
- 407 SIGNS AND OUTDOOR ADVERTISING STRUCTURES. No sign shall be permitted in any district except as hereinafter provided:
- 407.1 GENERAL PROVISION
- (a) Signs not exceeding twelve (12) square feet in area and advertising the sale, rental or lease of the premises on which the sign is located shall be permitted on any property.
 - (b) Announcement or professional signs for home occupations and professional activities where permitted shall not exceed two (2) square feet in area in an "R" District and not more than four (4) square feet in other districts.
 - (c) Bulletin boards and signs for a church, school, community or other public or semipublic institutional building and permitted conditional uses shall be permitted provided the area of such bulletin board or sign shall not exceed fifteen (15) square feet in area.
 - (d) Wall Signs pertaining to a non-conforming use shall be permitted on the same premises of such use, provided the area of such sign does not exceed twenty (20) square feet.
 - (e) No building wall shall be used for display of advertising, except that pertaining to the use carried on with such building.
 - (f) Temporary signs not exceeding in the aggregate fifty (50) square

feet announcing the erection of a building, the architect, the builders, contractors, etc., may be erected for the period of sixty (60) days plus the construction period not to exceed one year after date of issuance of permit after which the sign shall be removed from the premises.

407.2 R-2 RESIDENTIAL DISTRICT SIGNS

- (a) In the R-2 Residential district, each business shall be permitted one flat or wall signs. Projections of wall signs shall not exceed two (2) measured from the face of the main wall of, the building.
- (b) The area of the permanent advertising sign for any single business enterprise shall be limited according to the widths of the building or part of building occupied by such enterprise. For the purpose of this section width shall be measured along the building face nearest parallel to the street line. In the case of a corner lot, either frontage may be used in determining maximum area of the sign.
- (c) Free-standing signs not over twenty-five (25) feet in height having a maximum total sign area of one hundred (100) square feet and located not closer than ten (10) feet to any street right-of-way line and not closer than one hundred (100) feet to any adjoining lot line may be erected to serve a group of business establishments. There shall be only one free-standing sign for each building regardless of the number of business conducted in said building.

Pole signs of symbolic design shall be permitted for business establishments provided:

- 1. No part of such sign shall project into the right-of-way of any street or highway.
 - 2. The maximum area of any face of such sign shall not exceed twenty-five (25) square feet.
 - 3. The pole support of the sign shall not be less than fifty (50) feet from any lot in R-2 district.
- (d) The area of all permanent advertising signs for any single business enterprise may have an area equivalent to one and one-half square feet of sign area for each lineal foot of width of a building, or part of a building occupied by such enterprise, but shall not exceed a

maximum area of one hundred (100) square feet. In computing the area of free-standing or protruding signs all faces on which advertising is displayed are considered sign area.

407.3 **SETBACK REQUIREMENTS.** Except as provided above, signs and outdoor advertising structures where permitted shall be set back from the established right-of-way line of any street or highway at least as far as the required front yard depth for a principal use in such district except for the following modifications:

- (a) For every square foot by which such sign or outdoor advertising structure exceeds eighty (80) square feet such setback shall be increased by one-half foot but need not exceed 100 feet.
- (b) At the intersection of any state or federal highway with a major or secondary street, the setback of any sign or outdoor advertising structure shall not be less than one hundred (100) feet from the established right-of-way of each highway or street.
- (c) Real estate signs and bulletin boards for a church, school or other public or semipublic, religious or educational institution may be erected within the (10) feet of the established right-of-way line of any street or highway provided such sign or bulletin board does not obstruct traffic visibility at street or highway intersection.

407.4 **SPECIAL YARD PROVISIONS.** The following special provisions shall be observed in the erection or placement of signs and outdoor advertising structures:

- (a) No such sign or advertising structure in any District shall be permitted which faces the front or side lot line of any lot in any District within one hundred (100) feet of such lot line, or which faces any public parkway, public square, or entrance to any public park, public or parochial school, library, church, or similar institution, within three hundred (300) feet thereof.
- (b) Signs and advertising structures where permitted shall be erected or placed in conformity with the side and rear yard requirements of the district in which located except no sign or advertising structure shall be erected or placed closer than within fifty (50) feet to a side or rear lot line in any District.

407.5 **ILLUMINATION.** The following provisions shall be observed in the illumination of signs and advertising structures:

- (a) All signs and advertising structures except as hereinafter modified may be illuminated internally or by reflected light provided the source of light is not directly visible and is so arranged to reflect away from the adjoining premises and provided that such illumination shall not be so placed as to cause confusion or a hazard to traffic or conflict with traffic control signs or lights.

407.6 SUBDIVISION SIGNS. Upon application to the Zoning Officer a permit may be issued as a special exception to the terms of this ordinance allowing a land-sales sign, provided that:

- (a) The sign shall not be illuminated.
- (b) The sign shall advertise the sale or development of a recorded lot subdivision.
- (c) The sign shall be erected only upon the property for sale or being developed.
- (d) The sign shall not be in excess of forty (40) square feet.
- (e) Not more than one such sign shall be placed along single road frontage of any property in single and separate ownership, provided that not more than two (2) such signs may be permitted in any single development.
- (f) A permit for the erection, construction, or maintenance of said sign shall expire within one year.

407.7 PERMIT.

- (a) A separate permit shall be required for the erection of signs regulated in this ordinance, except that no permit shall be required for temporary real estate signs with an area of twelve (12) square feet for the sale or lease of property and for small announcement signs with an area of less than two (2) square feet. Announcement signs shall be removed by the person or persons responsible for posting same within 30 days after erection.
- (b) each application for a sign permit shall be accompanied by a drawing showing the design proposed, the size, character and color of letters lines, and symbols, method of illumination; the exact location of the sign in relation to the building and property, and

details and specifications for construction. A fee of three dollars (\$3.00) shall accompany each application for a sign permit.

407.8 EXEMPTIONS.

Public notices, traffic control signs and other official signs and notices are exempt from the provisions of this section.

408 TEMPORARY BUILDINGS.

Temporary buildings in conjunction with construction work only may be permitted in any district during the period that the construction work is in progress, but such temporary buildings shall be removed upon completion of the construction work.

409 SWIMMING POOLS.

409.1 PRIVATE SWIMMING POOLS. A private swimming pool, but not including farm ponds, shall be any pool, or open tank not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than one and one-half (1-1/2) feet. No such swimming pool shall be allowed in any District except as an accessory use and unless it complies with the following conditions and requirements.

- (a) The pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
- (b) It shall conform, including any walks, paved areas or accessory structures adjacent thereto, to the yard requirements of Section.
- (c) The swimming pool shall be so walled or fenced so as to prevent uncontrolled access by children from the street or from adjacent properties. Said fence or wall to be not less than six (6) feet in height and maintained in good condition.

409.2 COMMUNITY OR CLUB SWIMMING POOLS. A community or club swimming pool shall be any pool constructed by an association of property owners, or by a private club for use and enjoyment by members of the Association or club and their families. Community and club swimming pools shall comply with the following conditions and requirements:

- (a) The pool is intended solely for the enjoyment of the members and

families and guests of members of the association or club under whose membership or jurisdiction the pool is operated.

- (b) The pool and accessory structures thereto, including the area used by the bathers, shall not be closer than one hundred (100) feet to any property line on the property on which located.
- (c) The swimming pool and all of the area used by the bathers shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties. The said fence or wall shall not be less than six (6) feet in height and maintained in good condition. The area surrounding the enclosure, except for the parking spaces, shall be suitably landscaped with grass, hardy shrubs, and trees and maintained in good condition.
- (d) One (1) parking space for every seventy-five (75) square feet of pool surface area.

410 TRAILERS, TRAILER COACHES, MOBILE HOMES AND TRAILER PARKS.

410.1 No travel trailer shall be used outside of a permitted trailer park to provide living quarters or space for the conduct of business, except that a travel trailer may be used as a temporary accessory building during the construction of a principal building on the issuance of a temporary permit by the Zoning Officer.

410.2 No mobile home shall be used or stored outside of a permitted trailer park to provide living quarters or space for the conduct of business, except that a mobile home is a permitted use in any District provided that all set back requirements of the respective district are met.

410.3 TRAILER PARKS WHERE PERMITTED SHALL OBSERVE THE FOLLOWING REQUIREMENTS.

- (a) No trailer park shall have an area less than five (5) acres.
- (b) Every trailer or mobile home shall be connected to a sanitary sewer and an approved sewage disposal system.
- (c) Shall provide an adequate supply of pure water.
- (d) Shall provide a clearly defined minimum area of twenty thousand (20,000) square feet including a minimum width of eighty (80) feet

for each mobile home or trailer.

- (e) Shall provide a minimum of sixty (60) foot clearance between individual mobile homes, or trailer and travel trailers.
- (f) All mobile home or travel trailer spaces shall abut upon paved driveways of not less than twenty (20) feet in width, which shall have unobstructed access to a private or public street.
- (g) No trailer or mobile home shall be located less than thirty-five (35) feet from any abutting property.
- (h) The park shall be permanently landscaped and maintained in good condition.
- (i) A safe, usable recreation area shall be conveniently located in every trailer park and shall not be less in area than ten percent (10%) of the gross area of the trailer park.

411 JUNK AND SALVAGE YARDS.

- (a) License Required. No person shall use any building or premises for the buying, selling, gathering, delivery, shipping storing or salvaging of old iron, bottles, paper, rags, farm machinery, vehicles or other material commonly included in the term "junk" without obtaining a license for the operation of a junk or salvage yard. Storage of three or more unlicensed vehicles on the same premises shall be prima facie evidence of operation of a junk or salvage yard.
- (b) Application. Application for a license hereunder shall be made in writing to the Zoning Officer stating:
 1. The location and description of the premises to be licensed.
 2. The nature of the business to be conducted on the premises.
 3. The type of construction of any building to be used in connection with the business.
 4. The applicant's name and address, and, if a firm or

corporation, the names and addresses of all officers thereof.

- (c) Fee, Term. The fee for a license issued hereunder shall be _____ dollars per year. License shall expire on July 1, but may be renewed if the Zoning Officer is satisfied that the license and the premises comply with this section.
- (d) Location. No junk or salvage yard shall be located within one thousand (1,000) feet of any residence other than the owner of the premises or any residential or business district or one thousand (1,000) feet from a lake, three hundred (300) feet from a river or stream unless otherwise out of the view of the public. No junk or salvage operations shall be carried on within one hundred (100) feet of any highway right-of-way.
- (e) Screening Requirements. A junk yard shall be contained within an opaque fence or wall eight (8) feet high, or a visual screen consisting of evergreen or evergreen type hedges or shrubs, spaced at intervals of not more than six (6) feet, located and maintained in good condition at least fifteen (15) feet from the property line; or in some other fashion hidden from public view.

412 OIL AND GAS OPERATIONS

412.1 PURPOSE:

The purpose of this section is to provide for the health, safety and welfare of the residents of Morris Township ("Township") through the implementation of reasonable zoning provisions under the MPC and floodplain management provisions under the Floodplain Management Act and to permit the reasonable development of oil and gas resources in accordance with Act 13. Oil and gas operations involve activities that are economically important and will impact the Township. Accordingly, it is necessary and appropriate to adopt reasonable requirements for oil and gas operations so that they can be conducted in a manner that is economically remunerative and beneficial to the Township, yet the potential negative impact on the residents of the Township can be minimized.

412.2 DEFINITIONS:

"Act 13" -- Act 13 of 2012 (H.B. 1950), P.L. 87, § 1, approved February 14, 2012, 58 Pa.C.S. § 2301 et seq., which is also known as the Unconventional Gas Well Impact Fee Act, as well as any amendments thereto and regulations promulgated thereunder.

“Applicant” -- Any person, owner, operator, partnership, company, corporation or other entity seeking to conduct oil and gas operations within the Township.

“Building” -- An occupied structure with walls and a roof within which persons live or customarily work.

“Collector Street” -- A public street or road which, in addition to providing access to abutting lots, intercepts local streets and provides a route for carrying considerable volumes of local traffic to community facilities and arterial streets.

“Department” -- The Department of Environmental Protection of the Commonwealth of Pennsylvania.

“Derrick” -- Any portable framework, tower mast and/or structure which is required or used in connection with drilling or re-drilling a well for the production of oil or natural gas.

“Emergency Responders” -- The police department serving the Township, the Pennsylvania State Police, all fire companies serving the Township, all EMT and ambulance companies serving the Township, and the Township and county Emergency Management offices.

“Environmental Acts” -- All statutes enacted by the Commonwealth relating to the protection of the environment or the protection of public health, safety and welfare, that are administered and enforced by the department or by another Commonwealth agency, including an independent agency, and all Federal statutes relating to the protection of the environment, to the extent those statutes regulate oil and gas operations.

“Impoundment area” -- an earthen depression, excavation, pit or facility situated in or upon the ground, used to store water or other fluids related to oil and gas operations.

“Local Street” -- A public street or road designed to provide access to abutting lots and to discourage through traffic.

“Natural Gas” -- A fossil fuel consisting of a mixture of hydrocarbon gases, primarily methane, and possibly including ethane, propane, butane, pentane, carbon dioxide, oxygen, nitrogen and hydrogen sulfide and other gas species. The term includes natural gas from oil fields known as associated gas or casing head gas, natural gas fields known as nonassociated gas, coal beds, shale beds and other formations. The term does not include coal bed methane.

“Natural Gas Compressor Station” -- A facility designed and constructed to compress

natural gas that originates from a gas well or collection of such wells operating as a midstream facility for delivery of gas to a transmission pipeline, distribution pipeline, natural gas processing plant or underground storage field. The term includes one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.

“Natural Gas Processing Plant” -- A facility designed and constructed to remove materials such as ethane, propane, butane, and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets, but not including facilities or equipment that is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from the natural gas.

“Oil” -- Hydrocarbons in liquid form at standard temperature of 60 degrees Fahrenheit and pressure 14.7 PSIA. This term is also referred to as petroleum.

“Oil and gas operation(s)” -- The term includes the following:

1. Well location assessment, including seismic operations, well site preparation, construction, drilling, hydraulic fracturing and site restoration associated with an oil or gas well of any depth;
2. Water and other fluid storage or impoundment areas used exclusively for oil and gas operations;
3. Construction, installation, use, maintenance and repair of:
 - a. Oil and gas pipelines;
 - b. Natural gas compressor stations; and
 - c. Natural gas processing plants or facilities performing equivalent functions.
4. Construction, installation, use, maintenance and repair of all equipment directly associated with activities specified in paragraphs (1), (2) and (3) above, to the extent that:
 - a. The equipment is necessarily located at or immediately adjacent to a well site, impoundment area, oil and gas pipeline, natural gas compressor station or natural gas processing plant; and
 - b. The activities are authorized and permitted under the authority of a federal or commonwealth agency.

“Oil or Gas Well” -- A pierced or bored hole drilled or being drilled in the ground for the purpose of, or to be used for, producing, extracting or injecting gas, oil, petroleum or another liquid related to oil or gas production or storage, including brine disposal. This term shall include an “unconventional gas well.”

Oil or Gas Well Site” -- The location where facilities, structures, materials and equipment whether temporary or permanent, necessary for the preparation, construction, drilling, production or operation of an oil or gas well. This definition also includes exploratory wells.

“Operator” -- The person designated as the well operator or the operator of another oil and gas operation on the permit application or well registration.

“Outdoor recreation facility” -- A public or private recreation facility, except one located on a residential lot, which shall include soccer fields, basketball courts, baseball fields, golf courses, tennis courts, playgrounds, and other similar sports facilities that are used for leisure and recreation purposes.

“Owner” -- A person or entity that owns, manages, leases, controls or possesses an oil or gas well or other oil and gas operation.

“Permitted use” -- A use which, upon submission of written notice to and receipt of a permit issued by a zoning officer or equivalent official, is authorized to be conducted without restrictions other than those set forth in Section 3304 of Act 13.

“Storage well” -- A well that is used for and in connection with the underground storage of natural gas, including injection into or withdrawal from an underground storage reservoir for monitoring or observation of reservoir pressure.

“Unconventional formation” -- A geological shale formation existing below the base of the Elk Sandstone or its geologic equivalent stratigraphic interval where natural gas generally cannot be produced at economic flow rates or in economic volumes except by vertical or horizontal well bores stimulated by hydraulic fracture treatments or by using multilateral well bores or other techniques to expose more of the formation to the well bore.

“Unconventional gas well” -- A bore hole drilled or being drilled for the purpose of or to be used for the production of natural gas from an unconventional formation. The term shall also include wells that utilize hydraulic fracture treatment through a single vertical well bore and produce natural gas in quantities greater than that of a stripper well.

“Well pad” -- The area of surface operations immediately surrounding the surface location of a well or wells. Such area shall not include an access road to the well pad and shall not include the entirety of an oil or gas well site.

412.3 ZONING CLASSIFICATIONS

Subject to the provisions of this ordinance, and in order to allow for the reasonable development of oil and gas resources, the following zoning classifications shall apply:

A. Well and pipeline assessment operations – Well and pipeline assessment operations, including seismic operations and related activities, shall be a permitted use within all zoning districts, provided that such activities are conducted in accordance with all applicable Federal and State laws and regulations relating to the storage and use of explosives.

B. Oil or gas wells and oil or gas well sites – Notwithstanding section 3215 of the Unconventional Natural Gas Well Impact fee Act, oil or gas wells and oil or gas well sites shall be a permitted use within all zoning districts; provided that within the R-1 and R-2 Residential Zoning Districts, the well site must be placed so that the wellhead is at least 500 feet from any existing building. In addition, the following restrictions shall also apply in the R-1 and R-2 Residential Zoning Districts:

1. Oil or gas well sites are prohibited unless the outer edge of the well pad is at least 300 feet from an existing building.
2. Oil and gas operations, other than the placement, use and repair of oil and gas pipelines, water pipelines, access roads and security facilities, are prohibited from taking place within 300 feet of an existing building.

C. Impoundment areas – Impoundment areas used for oil and gas operations shall be a permitted use within all zoning districts, provided that the edge of the impoundment area shall not be closer than 300 feet from an existing building.

D. Natural gas compressor stations –

1. Permitted use – Natural gas compressor stations shall be a permitted use only within A-1 Agricultural Zoning District, provided that the natural gas compressor stations satisfy the distance and noise restrictions set forth in Section (412.3)(D)(3).

2. Conditional use – Natural gas compressor stations shall be a conditional use within all zoning districts other than A-1 Agricultural Zoning District, provided that the natural gas compressor stations satisfy the distance and noise restrictions set forth in Section (412.3)(D)(3).

3. Distance and noise restrictions – In order to be eligible for approval as a permitted use or conditional use, natural gas compressor stations must:

- a. Be located 750 feet or more from the nearest existing building or 200 feet from the nearest lot line, whichever is greater, unless waived by the owner of the

building or adjoining lot; and

b. Operate in such a manner that the noise level generated by the natural gas compressor station does not exceed a noise standard of 60dbA at the nearest property line or the applicable standard imposed by federal law, whichever is less.

E. Natural gas processing plants -

1. Conditional use – Natural gas processing plants shall be a conditional use only within the A-1 Agricultural Zoning District, provided that the natural gas processing plants satisfy the distance and noise restrictions set forth in Section (412.3)(E)(4).

2. Prohibition – Natural gas processing plants shall be prohibited in all zoning districts other than as set forth in Sections (412.3)(E)(1) and (412.3)(E)(2).

3. Distance and noise restrictions – In order to be eligible for approval as a permitted use or conditional use, natural gas processing plants must:

a. Be located 750 feet or more from the nearest existing building or 200 feet from the nearest lot line, whichever is greater, unless waived by the owner of the building or adjoining lot; and

b. Operate in such a manner that the noise level generated by the natural gas processing plant does not exceed a noise standard of 60dbA at the nearest property line or the applicable standard imposed by federal law, whichever is less.

F. Oil and gas operations shall be a permitted use within all zoning districts, subject to the restrictions specifically set forth in Sections 412.3(B) through (E), as well as generally set forth in this ordinance.

412.4 APPLICABILITY:

A. This section applies to all oil and gas operations, including, but not limited to, well and pipeline assessment operations, oil or gas well sites, impoundment areas used exclusively for oil and gas operations, natural gas compressor stations and natural gas processing plants that will be permitted or constructed after the effective date of this section of this ordinance.

B. Oil and gas operations, including, but not limited to, well and pipeline assessment operations, oil or gas well sites, impoundment areas used exclusively for oil and gas operations, natural gas compressor stations and natural gas processing plants that were permitted or constructed prior to the adoption of this ordinance shall not be required to meet the requirements of this section of this ordinance. However, any owner and/or

operator seeking to make a modification to existing oil and gas operations after the effective date of this section of this ordinance that alters the size, type, location, number of wells or physical modifications to existing structures or the situs of oil and gas operations shall comply with the terms of this section of this ordinance.

C. The Township acknowledges that it is preempted from enacting or enforcing ordinances that impose conditions, requirements or limitations on the same features of oil and gas operations regulated in Chapter 32 of Act 13 or that accomplish the same purposes set forth in Chapter 32 of Act 13. In addition, the Township acknowledges that environmental acts are of statewide concern and that it is preempted from regulating oil and gas operations to the extent that such operations are regulated by the environmental acts. This ordinance is intended to comply with such preemptive restrictions.

412.5 PERMIT REQUIREMENT:

A. No oil and gas operations shall be performed, constructed or located within the Township until the owner and/or operator of the oil and gas operations has made a written request for a permit and a permit has been issued by the Township's zoning officer approving the performance, construction or location of the oil and gas operations.

B. The written notice of request for a permit, or amended written notice, if necessary, shall be accompanied by payment of a reasonable fee to the Township, as established and set forth in the Township's schedule of fees.

C. Prior to making any modification to an existing and permitted oil or gas well site that alters the size, location, number of wells or accessory equipment or structures, the owner and/or operator shall make a written notice of request for and obtain a modified permit from the Township pursuant to this ordinance. Like-kind modifications and replacements shall be exempt from this requirement.

D. Prior to making any modification to any other existing oil and gas operation, including, but not limited to, a natural gas compressor station, natural gas processing plant or impoundment area, other than like-kind modifications and replacements, the owner and/or operator shall make a written notice of request for and obtain a modified permit from the Township pursuant to this section of this ordinance.

E. The owner or operator of a proposed oil and gas operation shall obtain a grading permit, if applicable, pursuant to the Greene County Subdivision and Land Development Ordinance prior to conducting any grading or earth moving.

F. The owner or operator of a proposed oil and gas operation shall obtain a building permit and certificate of occupancy, as appropriate for the use.

412.6 PRE-PERMIT CONFERENCES:

A. Purpose – Before seeking a permit to construct or conduct oil and gas operations, the applicant is strongly encouraged to meet with the Township’s staff to determine the requirements of and the procedural steps and timing relating to the written notice of request. The intent of this process is for the applicant to obtain necessary information and guidance from the Township’s staff before entering into any commitments or incurring substantial expenses with regard to the site and plan preparation.

B. Process - A pre-permit conference is voluntary on the part of the applicant and shall not be deemed the beginning of the time period for review as prescribed by law. The pre-permit conferences are intended for the benefit of the applicant in order to address the required permit submittals and are advisory only, and shall not bind the Township to approve any written request for a permit or to act within any time limit relative to the date of such conference.

412.7 WRITTEN NOTICE OF REQUEST FOR PERMIT:

A. The applicant’s written notice of request for a permit to conduct oil and gas operations shall include the following:

1. A brief narrative of the project, the address where the oil and gas operations will take place and the contact information for the individual(s) responsible for the oil and gas operations, including a phone number where such individual(s) can be contacted twenty-four hours a day, three-hundred sixty-five days a year.

2. Verification that the applicant has: (1) received all permits or other written approvals required by the Department or other state and/or federal regulatory agencies before constructing or conducting oil and gas operations; and (2) accepted and complied with any and all applicable bonding, fee, and permitting requirements including, but not limited to, those imposed by Act 13.

3. A location map of the oil or gas well site, impoundment area, natural gas compressor station, natural gas processing plant or other oil and gas operations showing, as appropriate, the approximate location of derricks, drilling rigs, wells, equipment and structures and all permanent improvements to the site and any post-construction surface disturbance in relation to natural and other surroundings. Included in this map shall be an area within the development site for the location and parking of vehicles and equipment used in the transportation of personnel and/or development and use of the site. Such location shall be configured to allow for the normal flow of traffic on public streets, which shall be undisturbed. Parking spaces shall be provided for the total number of persons

employed at the site during the highest shift plus three additional parking spaces. Separate parking spaces shall be provided for each tractor trailer or container vehicle on the site on a daily basis plus two additional parking spaces for such vehicles.

4. A map describing the manner and routes for the transportation and delivery of equipment, machinery, water, chemicals and other materials used in the siting, drilling, construction, maintenance and operation of the oil or gas well site, impoundment area, natural gas compressor station, natural gas processing plant, or other oil and gas operations.

5. Verification that, prior to the commencement of any activity relating to oil and gas operations, the applicant shall have entered into an appropriate township roadway maintenance and repair agreement with the Township, in a form acceptable to the Township's solicitor, regarding the maintenance and repair of the Township's streets that are to be used by vehicles for site construction, drilling activities and other site operations.

6. Verification that a copy of the applicant's emergency management plan has been made available to the Department, the Township and all Emergency Responders and that the applicant, upon changes occurring to the emergency management plan, will immediately make available a revised copy to the Department, the Township and all Emergency Responders.

B. If the written notice of request for a permit is complete and fulfills the requirements of this ordinance, the Township shall issue or deny a permit within 30 days (for permitted uses) or within 120 days (for conditional uses) following the date of submission to the Township.

C. If the written notice of request for a permit is incomplete and/or inadequate, the Township shall notify the applicant within 15 days of its receipt. The applicant shall be permitted to submit a revised written notice.

413 CAMPGROUNDS

413.1 PLAN

(a) Application for a campground permit shall be accompanied by a plan for the proposed development. Such plan shall include the location of all streets and roads, campsites, utility services, buildings, recreation areas, and other facilities. The plan shall be drawn at an appropriate scale to provide ease of review, but at no less than one (1) inch equals one hundred (100) feet.

(b) The plan shall show property line of adjacent properties, together with the land use of such adjacent properties.

413.2 STANDARDS

(a) Set Back. No camping site shall be located within one hundred (100) feet of a public right of way or within thirty-five (35) feet of any property line or within three hundred (300) feet of a non-affiliated residence.

(b) Camp Sites. Individual campsites shall contain a minimum of 1,500 Square Feet with a minimum width of twenty-five (25) feet. Each campsite shall provide a clear, level, well-drained pad for accommodating the trailer, camper or tent.

(c) Parking - Parking may be provided either on street or on each camping site. Camping site parking shall provide a clean, level, well-drained area of no less than eight (8) feet by twenty (20) feet dimensions. On street parking may be provided in accordance with streets and road requirements under d below.

(d) Streets and Roads - Each camping site shall front upon an approved street or road.

(1) One way streets and roads with camping site parking shall have an improved surface of no less than twelve (12) feet.

(2) Two way streets and roads with camping site parking shall have an improved surface of no less than twenty (20) feet.

(3) One way streets and roads with on-street parking on one side shall have an improved surface of no less than twenty (20) feet, and twenty-eight (28) feet for parking on both sides.

(4) Two way streets and roads with on-street parking shall have an improved surface of no less than twenty-eight (28) feet for one (1) side parking, and thirty-six (36) feet for both side parking.

(5) Streets and Roads shall be graded to provide positive drainage from the road surface. Drains and culverts shall be provided as necessary to maintain proper drainage.

(6) Streets and roads shall have a maximum grade of six (6) percent except for sections of no more than one hundred (100) feet in length which may exceed six (6) percent, but in no case shall exceed ten (10) percent.

(7) Streets and roads shall be all weather constructed. Road oil, calcium or other suitable material shall be applied in an amount and frequency as necessary to control dust.

413.3 CAMPGROUNDS IN EXISTENCE AT TIME OF ADOPTION OF THIS ORDINANCE

(a) Any person operating a campground within Morris Township, Greene County, at the time of adoption of this amendment to the Morris Township Zoning Ordinance shall make application for a permit, including a plan of the existing campground.

(b) The Supervisors shall examine the plan to determine which violations of this ordinance, if any, necessitate immediate correction, and proof of such correction shall be required prior to issuance of a permit.

(c) Any person operating a campground at the time of adoption of this amendment to the Morris Township Zoning Ordinance shall within six (6) months submit a plan for his campground complying with the requirements of this ordinance and shall within One (1) years of this date of this ordinance comply with the requirements and standards herein.

413.4 RECORDS AND REGISTRATION

(a) Each campground shall have an office in which shall be kept copies of all records pertaining to the management and supervision of the campground. Such records shall be available for inspection by the authorized officers of the Township. The permit from the Township shall be on display in a conspicuous place on the premises at all times.

(b) It shall be the duty of the owner or his agent to keep a register of the head of the family accommodated in the campers or tents, their regular home address and the number and description of their automobiles or other vehicles. Said register shall be open at all times to the inspection by any authorized official of the Whiteley Township Board of Supervisors. The owner or his agent shall prescribe rules and regulations for the management at the campground and make adequate provision for the enforcement of such rules.

ARTICLE 5

ADMINISTRATION AND ENFORCEMENT

501 ENACTMENT OF THE ZONING ORDINANCE.

This Ordinance is hereby enacted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, 53 P.S. Sub-section 10101 et seq.