

**MUNICIPALITY OF MURRYSVILLE
WESTMORELAND COUNTY, PENNSYLVANIA**

ORDINANCE NO. 833-11

AN ORDINANCE OF THE MUNICIPALITY OF MURRYSVILLE AMENDING CHAPTER 220-31 – STANDARDS FOR SPECIFIC USES, ADDING SUBSECTION CC TO THE CODE OF THE MUNICIPALITY OF MURRYSVILLE, EXPLORATION OR PRODUCTION OF OIL OR NATURAL GAS FROM A SHALE RESERVOIR OR SOURCE ROCK.

§P1.1 **Recovery of Subsurface Gas and Oil Deposits:** These are activities limited to the recovery and removal of subsurface gas and oil deposits drilled with the intent to explore or produce oil or natural gas from a shale reservoir or source rock. This does not include the recovery and removal of any other subsurface minerals, such as coal, gravel, sand, clay, topsoil, stone or any other mineral other than oil and gas from the shale rock reservoir or source rock. This use is permitted subject to the stated purpose of this ordinance and all of the requirements contained in the ordinance and accompanying addendum, as pertaining:

A. Purpose

Statement of Purpose: The purpose of this subsection is to provide for the health, safety and welfare of the residents and their property in the Municipality of Murrysville; to provide the procedure for the issuance of zoning permits to enable the exploration or production of oil or natural gas from a shale reservoir or source rock; to protect the character of the community, facilitating beneficial and compatible land uses; and to further the Municipality's interest in the orderly development and use of land in a manner consistent with local demographic and land use concerns.

Subject to the provisions of this subsection, this use shall be listed as a principal or an accessory use upon conditional use approval in the Oil and Gas Recovery District as identified on the Official Zoning Map of the Municipality of Murrysville.

For any Oil and Gas Development or Facility, if development and/or drilling have not been initiated within one (1) year after the conditional use approval of the application, the conditional use approval is automatically rescinded. An extension may be granted by the Council of the Municipality of Murrysville for a maximum of one (1) year upon written request by the applicant, prior to the expiration of the original one-year period, subject to the finding that the plan is in compliance with all standards. All development activity in connection with the approved Development or Facility and, specifically, all well site reclamation, must be

completed within three (3) years of commencement of development. An extension may be granted by the Council of the Municipality of Murrysville for a maximum of one (1) year upon written request by the applicant, prior to the expiration of the original three year period, subject to the finding that the plan is in compliance with all standards.

Upon approval of the application, all subsequent operations shall be in conformance with the site plan, the conditional use decision and all conditions, zoning permit, all state and federal permits (as applicable) and all standards contained in this ordinance.

This use shall not occur, no conditional use approval shall be granted, and no building or zoning permit shall be issued, until the applicable procedures and standards in this subsection have been satisfied, the applicable provisions of this chapter and **the Code of the Municipality of Murrysville** have been satisfied and all applicable requirements of the Commonwealth of Pennsylvania and United States Government have been satisfied, as evidenced by the prior written approval of the applicable agency having jurisdiction including, without limitation, the operator's license and copies of all state and federal permits.

To the extent any provision of this ordinance conflicts with any provision of any other applicable ordinance, law, rule or regulation, the more restrictive provision shall apply.

B. Definitions

As used in this ordinance, the following terms shall be interpreted or defined as follows:

1. **Bunk House:** A housing facility designed and intended to be used for a temporary period of time to house oil and gas exploration related workers. Such facility is not intended to accommodate families or school aged children. A Bunk House may be of travel trailer, camper, mobile home or a structure manufactured for this particular use.
2. **Closed Loop System:** A system utilized while drilling so that various types of pits are not used and instead steel bins or closed containers are used to collect all drilling waste.
3. **Completion of drilling, re-drilling and re-working:** The date sixty (60) days after the end date of the drilling, re-drilling or re-working of the Well Site.

4. **Exploration:** Temporary geologic or geophysical activities, drilling in context with the zoning definition in this ordinance related to the search for natural gas or other subsurface hydrocarbons.
5. **Flowback water:** Is the murky, salty water from fracing natural gas wells. It consists of frac fluid which returns to the surface as well as produced water.
6. **Fracture or Fracking:** The process of injecting water, customized fracking fluid, steam, or gas into a gas well under pressure to improve gas recovery.
7. **Freshwater:** Freshwater is defined as water having 2,500 mg/l or less of total dissolved solids.
8. **Gas Well:** Any well drilled for the intent of extracting gas or other hydrocarbons from beneath the surface of the earth.
9. **Local Street or Road:** A public street or road, adopted by ordinance, serving abutting homogeneous land uses carrying a maximum of 2,000 AWDT and provides for no truck usage except for local deliveries. AWDT is defined as daily traffic count average over a one week period.
10. **Municipality:** Municipality of Murrysville, Westmoreland County, Pennsylvania.
11. **Oil and Gas:** Crude oil, natural gas, methane gas, coal bed methane gas, propane, butane and/or any other constituents or similar substances that are produced by drilling a well of any depth into, through, and below the surface of the earth.
12. **Oil and Gas Development or Development.** The Well Site preparation, Well Site construction, drilling, fracturing, and/or site restoration associated with an oil and gas well of any depth; water and other fluid storage, gas reservoir; impoundment and transportation used for such activities; and the installation and use of all associated equipment, including tanks, meters, and other equipment and structures whether permanent or temporary; and the site preparation, construction, installation, maintenance and repair of oil and gas pipelines, not regulated by the Pennsylvania Public Utility Commission or U.S. Department of Transportation, Office of Pipeline Safety, and associated equipment and all other equipment and activities associated with the exploration for, production and transportation of oil and gas including Natural Gas Compressor Stations and Natural Gas Processing Plants, structures defined

as other support facilities or structures performing similar functions that operate as midstream facilities.

13. **Oil and Gas Development Facility or Facility:**

- a. **Natural Gas Compressor Station:** A facility designed and constructed to compress natural gas that originates from an oil and gas well or collection of such wells operating as a midstream facility for delivery of oil and gas to a transmission pipeline, distribution pipeline, Natural Gas Processing Plant or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.
- b. **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 the 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 are/is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from natural gas.
- c. **Gathering System Facility:** A facility associated with a gathering system or water collection line such as a drip station, vent station, pigging facility, chemical injection station, or transfer pump station.
- d. **Production Facility:** A facility related to the production of gas which utilizes motors and/or engines.

14. **Operator:** The operator and, if a separate entity from the operator, the owner of the Oil and Gas Development or Facility which is the subject of the application.

15. **Protected Structure:** Any occupied structure measured horizontally within 600 feet or in the case of a Natural Gas Processing Facility within 1200 feet, of the nearest structure of the Oil and Gas Development or Facility. The term shall not include any structure whose owner has signed a waiver relieving the Operator from implementation of the measures established in this ordinance or other applicable provisions of the Code of the Municipality of Murrysville. In the waiver, the owner must acknowledge that the Operator is explicitly relieved from complying with the regulations applicable to a Protected Structure. The waiver must be notarized.

16. **Re-Drill:** Deepening or sidetrack/horizontal drilling of the existing well bore extending more than one hundred fifty (150) feet from said well bore.
17. **Re-Work:** Re-entry of existing well within the existing bore hole or by deepening or sidetrack/horizontal operations (which do not extend more than one-hundred fifty (150) feet horizontally from the existing well bore) or replacement of well liners or casings.
18. **Well Site:** The well site shall consist of the area occupied by any of the facilities, structures, and equipment associated with or incidental to the construction, drilling, fracturing, production, or operation of an oil or gas well. If multiple areas are used, then the total combined areas shall be considered the Well Site.

C. Application

A person or entity desiring approval of a conditional use application pursuant to this ordinance shall submit a written application. Before submitting an application the Applicant is strongly encouraged to meet with the Municipal staff to determine the requirements of and the procedural steps for the application. The intent of this process is for the Applicant to obtain necessary information and guidance from the staff before entering into any commitments or incurring substantial expenses with regard to the site and plan preparation.

The application shall not be considered to be complete and properly filed unless and until all items required by this ordinance, including the application fee, have been received. Such application shall include the following information and plans:

1. Fourteen (14) paper copies and one electronic copy of the completed application form supplied by the Municipality along with supporting documentation as identified in this section.
2. Copies of any and all permits and applications submitted to the various local, county, state and federal agencies. Permits and plans shall include but not be limited to the Pennsylvania Department of Environmental Protection well application and permit, ESCGP-1 or other erosion and sedimentation permits and all air, water and waste management permits.
3. Applicant shall comply with all applicable Murrysville codes. An addendum listing the various chapters of the Code of Municipality of Murrysville which may apply is attached. This addendum is for reference purposes and is not meant to be all inclusive.

4. Provide written evidence that legal notice of the intent to drill has been given to the property owner(s) who have legal or equitable title in and to the surface of the proposed Development.
5. A site plan prepared by an engineer or surveyor licensed in Pennsylvania shall be provided to establish compliance with all applicable regulations. All drilling and production operations, including derricks, vacuum pumps, compressors, storage tanks, vehicle parking, structures, machinery, temporary housing, ponds and pits, and ancillary equipment on the well site shall be identified. All protected structures within 600 ft. of the property lines of the well site shall be identified. All roads related to the Development or Facility must also be shown. A sufficient number of copies of the site plan shall be provided for review and comment by all Murrysville emergency service organizations.

6. Traffic Impact Study

The applicant shall provide a traffic impact study as defined in Chapter 201-141 of the Code of the Municipality of Murrysville, Traffic Impact Study, and shall include particular emphasis on the following:

- a. A description of plans for the transportation and delivery of equipment, machinery, water, chemicals, products, materials and other items to be utilized in the siting, drilling stimulating, completion, alteration and operation of the Development or Facility. Such description shall include a map showing the planned vehicular access route to the development site, indicating all state, county, and local roads, and transportation infrastructure that may be used and the type, weight, number of trucks and delivery schedule necessary to support each phase of the development.
 - b. An inventory, analysis, and evaluation of existing road conditions on Municipal roads along the proposed transportation route identified by the applicant, including photography, video and core boring as determined to be necessary by the Municipal Engineer.
7. To the extent that the same is not otherwise included or provided on copies of applications for permits from the Commonwealth of Pennsylvania or other governmental units and herewith submitted or where no such permit is required the applicant shall provide a water withdrawal plan for the Development identifying the source of water, how many gallons will be used and withdrawn each day, the origination of the water, proposed truck routes and all permits issued by the Commonwealth of Pennsylvania or any other governmental body. If the Development is to be supplied by way of water lines, the locations of all proposed water lines

are to be identified. The site for the treatment and disposal of the water will also be identified.

8. To the extent that the same is not otherwise included or provided on copies of applications for permits from the Commonwealth of Pennsylvania or other governmental units and herewith submitted or where no such permit is required the applicant shall identify the means and availability of the site for disposal of cuttings, fracturing fluids, oil, toxic materials, hazardous materials and other waste products.
9. To the extent that the information has been developed, the applicant shall provide a plan for the transmission of gas from the Development. The plan will identify but not be limited to gathering lines, compressors and other mid and downstream facilities located within the Municipality and extending 800 ft beyond the Municipal boundary.
10. The applicant shall provide a sufficient number of copies to the Municipality of the Preparedness, Prevention and Contingency ("PPC") Plan as defined in the PADEP document Guidelines for the Development and Implementation of Environmental Emergency Response Plans, or the most recent applicable guidance document, to be distributed to the Chief Administrator, the Emergency Management Council, the Fire Chief of the district and Medic One.
11. The applicant shall provide the GIS location and 911 address of the Well Site.

12. Noise Management Plan

The applicant shall provide an acoustics study as defined in Chapter 201-54 R of the Code of the Municipality of Murrysville.

13. Community and Environmental Impact Analysis

To the extent that the same is not otherwise included or provided within copies of applications for permits from the *State Commonwealth* of Pennsylvania or other governmental units and herewith submitted or where no such permit is required the applicant shall provide a community and environmental impact analysis study in conformance with the applicable sections of 201-54 P and T of the Code of the Municipality of Murrysville.

14. Air Quality Study

To the extent that the same is not otherwise included or provided within copies of applications for permits from the Commonwealth of Pennsylvania or other governmental units and herewith submitted or where no such permit is required. The applicant shall provide an air quality study as defined in section 201-54 Q of the Code of the Municipality of Murrysville.

15. Hydrological Study

To the extent that the same is not otherwise included or provided within copies of applications for permits from the Commonwealth of Pennsylvania or other governmental units and herewith submitted or where no such permit is required. The applicant shall provide a hydrological study as defined in section 201-54 S of the Code of the Municipality of Murrysville.

16. The applicant shall provide any and all waivers from owners of Protected Structures.

D. Standards

1. General

- a. Best management practices shall be encouraged.
- b. Operators are encouraged to review Chapter 220 Article VI of the Code of the Municipality of Murrysville.
- c. Any hazardous or toxic material shall be securely contained, stored and removed in accordance with applicable state or federal regulations. On-site disposal is prohibited. All hazardous materials stored must be clearly marked identifying the contents, chemicals, and hazards as required by the OSHA Hazard Communication Standard 29 CFR 1910.1200 and National Fire Protection Association Code 704-Standard System for the Identification of the Hazards of Materials for Emergency Response. All regulated tanks are to be labeled to a NFPA specification.
- d. Fractured fluid storage ponds, open pits and reserve pits are highly discouraged. Closed Loop Systems and other related best management practices are strongly recommended to be used during the drilling or completion of any well.

- e. Fresh water storage ponds are permitted.
- f. All operations shall be in accordance with all applicable federal laws and regulation; the Pennsylvania Oil and Gas Act (58 P.S. 601.101 et seq.), as amended and pursuant to all other applicable rules, regulations and procedures adopted thereto.
- g. It is strongly recommended drip pans, containment devices or other best management practices be placed, used or installed underneath all tanks, containers, pumps, lubricating oil systems, engines, fuel and chemical storage tanks, system valves, connections, and any other areas or structures that could potentially leak, discharge, or spill hazardous liquids. The Operator shall be responsible for prevention and prompt removal of spills involving waste materials, oil and toxic or hazardous materials.
- h. Multiple well pad sites on any one Oil and Gas Development shall be prohibited, unless the Operator proves to the satisfaction of the Municipality the underlying geology makes using a single well pad impractical.
- i. Changes in the site plan including but not limited to any expansion of the ground surface area used and/or devoted towards drilling operations requires further conditional use approval pursuant to the terms and conditions of this ordinance.
- j. Except for emergency and governmental compliance activity or during fracing, drilling, completion and workover related activities, hours of operation are limited to Monday through Saturday, 7:00 a.m. to 9:00 p.m. All deliveries and pickups incidental to the Oil and Gas Development or Facility must occur during the defined hours of operation.
- k. At least 30 days prior to any development activity at the Development or Facility, the Operator shall provide the following information to each property owner within one thousand (1,000) feet of the planned surface location of the Development or Facility:
 - (1) A copy of the site plan submitted as part of the conditional use application;

- (2) A general description of the planned operations at the Development or Facility and associated equipment to be used;
 - (3) The contact information for the Operator; and
 - (4) The availability of the Operator to hold a meeting locally with such residents to present Operator's plans for the Development or Facility and to allow for questions and answers. The meeting(s) shall be held prior to the commencement of development activity.
- l. A duly authorized representative of the Municipality, trained by the operator or his agents, shall have the authority in relation to the enforcement of this ordinance to enter upon the property of a Development or Facility for the purpose of inspecting the site, equipment and all other aspects of the site necessary to assure compliance with this ordinance.
 - m. The Operator of any Development or Facility shall notify the Emergency Management Coordinator, Municipal Zoning Officer and Municipal Engineer no less than 90 days prior to the start up and abandonment or shutdown of any Well Site.
 - n. All drilling and production operations, including but not limited to derricks, vacuum pumps, compressors, storage tanks, vehicle parking, structures, machinery, temporary housing, ponds and pits, and ancillary equipment shall be located not less than 600 feet from any Protected Structure and not less than 200 feet from the nearest property line.

E. Traffic Impact

1. The proposed routes must be designed to minimize the impact on streets within the Municipality. The Municipality reserves the right to designate alternate routes in the event the applicant's proposed routes are deemed inadequate, unsafe or overly disruptive to normal vehicular traffic by the Municipal Engineer. Vehicles are to operate on state routes and may only use municipal roads when the use of state routes is not feasible.
2. Prior to the commencement of any activity at the Development or Facility, the Operator shall enter into a Municipal Roadway Maintenance and Repair agreement with the Municipality, in a form acceptable to the Municipality, regarding maintenance repair and bonding of Municipal roads that are to be used by vehicles for development activities. The

Municipal Roadway Maintenance and Repair agreement will identify the responsibilities of the applicant to prepare, maintain, and repair Municipal roads before, during and immediately after drilling operations associated with the Development or Facility. The applicant shall take all necessary corrective action and measures as directed by the Municipality pursuant to the agreement to ensure the roadways are repaired and maintained during and at the conclusion of all development activities.

3. The operator shall take the necessary safeguards to ensure that the Municipal roads utilized remain free of dirt, mud and debris resulting from development activities and/or shall ensure such roads are promptly swept and cleaned if dirt, mud and debris occur.
4. The Operator shall take all necessary precautions to ensure the safety of persons in areas established for road crossing and/or adjacent to roadways (for example, persons waiting for public or school transportation). Where necessary and allowed, during periods of anticipated heavy or frequent truck traffic associated with the Development or Facility, Operator will provide flagmen to ensure the public safety and include adequate signs and/or other warning measures for truck traffic and vehicular traffic.
5. There will be no staging of trucks or equipment on local roads.
6. A traffic control plan in conformance with Penn DOT standards shall be provided.

F. Visual

1. The Oil and Gas Development or Facility shall be located, designed and constructed to minimize the removal of trees and shrubs, protect all natural resources, and minimize the amount of surface disturbance.
2. Operator shall not clear brush or trees by way of burning, and shall chip, grind or remove all tree stumps from properties it clears for development purposes.
3. The location and design of structures and site improvements shall be integrated with the natural color, form and texture of the surrounding area.

G. Lighting

1. Lighting shall be in conformance with Chapter 220-52 of the Code of the Municipality of Murrysville.

H. Air and Water Quality

1. Air contaminant emissions shall be in compliance with all municipal, county, state and federal regulations, including without limitation the provisions of the Code of the Municipality of Murrysville as amended; and all applicable regulations for smoke, ash, dust, fumes, gases, odors and vapors.
2. Operator shall take the necessary safeguards to ensure appropriate dust control measures are in place to prevent visible plumes of dust from crossing the property line or adversely impacting neighboring properties.
3. Sixty (60) days prior to drilling, the Operator shall notify residents with water wells within one thousand (1,000 feet) of the gas well of their intentions to drill. The operator shall provide proof of notice to the Municipality.
4. All condensate tanks, Compressor Stations, Processing Plants and other Production Facilities shall be equipped with vapor recovery and/or vapor destruction units.

I. Noise

1. Noise is regulated by Chapter 157 of the Code of the Municipality of Murrysville.

J. Hazards

1. Upon request of the Emergency Management Coordinator, the Operator shall, prior to drilling its first gas well in the Municipality, make available with at least 30 days' notice, at the applicant's sole cost and expense, one appropriate group training program for emergency responders and Municipal code enforcement personnel. Such training shall be made available at least annually during any year that drilling activities take place at the Oil and Gas Development or Facility. Training should cover each phase of the development from site work to well completion. If additional wells are drilled at the site, the Operator and Emergency Management coordinator will determine if additional training is required.
2. The applicant shall maintain at the property and on file with the Municipality, a current list and the Material Safety Data Sheets (MSDS) for all chemicals used in the drilling operations (including but not limited to types of additives, acids, polymers, salts, surfactants and solvents) and in any fracturing operations. If the PPC requires availability and/or utilization of special equipment or supplies particular to the hazards or

conditions addressed in the PPC, the Municipality shall require the operator to reimburse the Municipality for the cost of procurement of such special equipment or supplies.

K. Access

1. Beginning with its intersection with a public street, any ingress or egress point for the Development or Facility shall be paved for the first fifty (50) feet and improved with limestone or other material for the next 100 feet in a manner that no water, sediment, or debris will be carried onto any public street. If any amount of mud, dirt or other debris is carried on to public or private rights-of-way from the Well Site, the Operator shall immediately clean the roads and implement a remedial plan as directed by the Municipality to keep the streets continuously clean. The first fifty (50) feet from the existing edge of pavement extending into the site shall consist of the following material:

- Compacted subgrade
- PENNDOT Class 4 Geotextile Fabric
- 8" AASHTO #1 Crushed Aggregate Base Course
- 2" PENNDOT 2A Aggregate
- 6" Superpave 25 mm Binder Course

The remainder of the driveway to the well pad shall be constructed with the following material:

- 8" AASHTO #1 Crushed Aggregate Base Course
- 2" PENNDOT 2A Aggregate

2. Ingress and egress points for all public and private driveways or roadways shall be located and improved in order to:
 - a. Meet Pennsylvania Code 67 Chapter 441 "Access to and Occupancy of Highways by Driveway and Local Roads," PennDOT Design Manual 2.
 - b. Ensure adequate capacity for existing and projected traffic volume.
 - c. Provide efficient movement of traffic, including appropriate turning radii and transition grade.
 - d. Minimize hazards to highway users and adjacent property and human activity.

3. All applicable permits or approvals must be obtained, including without limitation:
 - a. Access or driveway permits to state or county roads.
 - b. Overweight or oversize loads.
4. All weather access roads, suitable to handle emergency equipment, shall be provided to within 50 feet of any structure, improvement, or activity area.

L. Storage of Equipment

1. No equipment including drilling, re-drilling, re-working or other portable equipment shall be stored on the Development or Facility which is not essential to the everyday operation of the Development or Facility. This includes the removal of idle equipment unnecessary for the operation of wells.
2. Lumber, pipes, tubing and casing shall not be left on the Development or Facility except when drilling or well servicing operations are being conducted on the site.
3. It shall be illegal to park or store any vehicle or item of machinery on any street, right-of-way or in any driveway, alley or on the Development or Facility which constitutes a fire hazard or an obstruction to or interference with fighting or controlling fires except that equipment which is necessary for the maintenance of the Development or Facility or for the gathering or transporting of hydrocarbon substances from the site.

M. Fencing, Screening and Buffering

1. Galvanized chain link security fencing shall not be required at the Well Site, with the exception of fresh water ponds and open pits, during the initial drilling, or re-drilling operations, as long as manned 24-hour on-site supervision and security are provided. Fresh water ponds and open pits shall be fenced in accordance with section M.3 of the ordinance.
2. Upon completion of drilling or re-drilling, security fencing consisting of a permanent galvanized chain link fence shall be promptly installed at all Well Sites to secure well heads, storage tanks, separation facilities, water or liquid impoundment areas, and other mechanical and production equipment and structures on the Well Site.

3. Security fencing shall be at least 6 feet in height equipped with lockable gates at every access point and having openings no less than 12' feet wide. Gates shall be kept locked except when being used for access to the site. Additional lockable gates used to access the Well Site, fresh water ponds or open pits by foot may be allowed, as necessary. The fence posts shall be set in concrete at sufficient depths to maintain the stability of the fence.
4. The Municipality's First Responders shall be given means to access the Well Site in case of an emergency. It is recommended a lock box be installed. Applicant must provide the Westmoreland County 911 Communications Center with necessary information to access the Development or Facility in case of an emergency.
5. Warning signs shall be placed on the fencing surrounding the Development or Facility providing notice of the potential dangers and the contact information in case of an emergency. During drilling and hydraulic fracturing, clearly visible warning signage must be posted on the Well Site.
6. In construction of the Oil and Gas Development or Facility the natural surroundings shall be considered and attempts made to preserve existing trees and other native vegetation. Existing trees and respective root systems should not be disturbed whenever possible.
7. All and Oil and Gas Developments and Facilities shall have a minimum front, side and rear yard setback of a minimum of 150' feet.
8. Oil and Gas Developments and Facilities are subject to Chapter 220-51B, Landscaping and Buffering, of the Code of the Municipality of Murrysville.

N. Structure Height

Permanent Structures of the Oil and Gas Developments and Facilities (both principal and accessory) shall comply with the height regulations of the applicable zoning district.

O. Bunk Houses

1. There shall be only one unit per Development with a maximum occupancy of six individuals.
2. The occupancy of the bunk house shall not exceed (60) sixty days.

3. The structure shall only be occupied during drilling, re-drilling, fracing or completion activities and only by employees or contractors responsible for such activities at the well site.
4. The operator shall provide an alcohol policy for occupants of the bunk house.
5. The operator shall provide a firearms policy for occupants of the bunk house.
6. Occupants of the bunk house shall be required to sign in and out before entering or leaving the Development.
7. The operator shall meet all State and local water and sewage requirements.

P. Oil and Gas Development Facilities

1. Oil and Gas Development Facilities, which employ the use of compressors, motors or engines as part of the operations and/or produce air contaminant emissions or offensive odors, Gathering System Facilities and Production Facilities shall be listed as a principal use upon conditional use approval only in the Oil and Gas Recovery District, subject to this ordinance, all applicable chapters of the Code of the Municipality of Murrysville and the following.
 - a. All noise generating equipment and processes shall be contained within a completely enclosed building and windows and doors shall remain closed during operations.
 - b. Adequate public utilities shall be available to meet the demands of the facility.
 - c. The front, rear and side yard requirements shall be a minimum of 150 ft.
 - d. The site shall be designed utilizing natural topography and/or constructed earthen mounds so as to obstruct visibility from adjacent streets and properties.
 - e. Adjacent public streets shall be adequate to accommodate traffic volumes and weight limits associated with traffic to and from the site.
 - f. The storage, handling, transportation and disposal of

hazardous or potentially hazardous materials shall be in accordance with all applicable permits and requirements of the Code of the Municipality of Murrysville, the Pennsylvania Department of Environmental protection and the U.S. Environmental Protection Agency.

- g. No structure shall be located less than 600 feet from any Protected Structure.
 - h. Secondary containment shall be provided at sites utilizing liquid separators.
 - i. Compressors and other power driven equipment shall use spark-less electrical motors when practicable as an alternative to internal combustion motors.
 - j. If an internal combustion engine is used, it shall not be discharged into the open air unless it is equipped with an exhaust muffler, or mufflers or an exhaust muffler box constructed of noncombustible materials sufficient to suppress noise and disruptive vibrations and the ignition of carbon or soot. All such equipment shall be maintained in good operating condition according to manufacturer's specifications.
 - k. A security fence as specified in section M, Fencing, Screening and Buffering, of this ordinance shall be set back at least 10 feet from the property line and 20 feet from a public right of way.
2. Natural Gas Processing Plants shall be listed as a principal use upon conditional use approval in the Oil and Gas Recovery District and shall be subject to this ordinance, all applicable chapters of the Code of the Municipality of Murrysville and the following:
- a. All noise generating equipment and processes shall be contained within a completely enclosed building and windows and doors shall remain closed during operations.
 - b. Adequate public utilities shall be available to meet the demands of the facility.
 - c. The minimum site required shall be ten acres.
 - d. The front, rear and side yard requirements shall be a minimum of 150 feet.

- e. The site shall be designed utilizing natural topography and/or constructed earthen mounds so as to obstruct visibility from adjacent streets and properties.
- f. Adjacent public streets shall be adequate to accommodate traffic volumes and weight limits associated with traffic to and from the site.
- g. The storage, handling, transportation and disposal of hazardous or potentially hazardous materials shall be in accordance with all applicable permits and requirements of the Code of the Municipality of Murrysville, the Pennsylvania Department of Environmental protection and the U.S. Environmental Protection Agency.
- h. The Facility shall be located not less than 1200 ft. from any protected structure.
- i. Secondary containment shall be provided at sites utilizing liquid separators.
- j. Power driven equipment shall use spark-less electrical motors when practicable as an alternative to internal combustion motors.
- k. If an internal combustion engine is used, it shall not be discharged into the open air unless it is equipped with an exhaust muffler, or mufflers or an exhaust muffler box constructed of noncombustible materials sufficient to suppress noise and disruptive vibrations and prevent the ignition of carbon or soot. All such equipment shall be maintained in good operating condition according to manufacturer's specifications.
- l. A security fence as specified in section M, Fencing, Screening and Buffering, of this ordinance shall be set back at least 10 feet from the property line and 20 feet from a public right of way.

Q. Repealer

Any ordinance, chapter, section, subsection, paragraph, sentence or phrase of any ordinance conflicting with the provisions of this ordinance is hereby repealed to the extent of such conflict.

R. Severability

If any section, subsection, sentence, clause or phrase or portion of this document is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion thereof.

Addendum

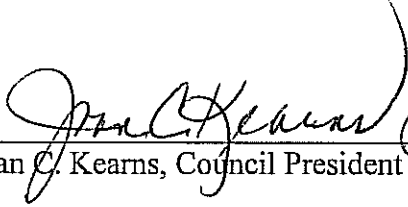
The Operator when making application to the Municipality of Murrysville is encouraged to familiarize itself with the Code of the Municipality of Murrysville. Relevant sections of the Code which may in part or in whole have an impact on the application and subsequent construction and maintenance of an Oil and Gas Development or Facility may or may not include the following Chapters of the Code. The Code of the Municipality of Murrysville can be found at www.murrysville.com.

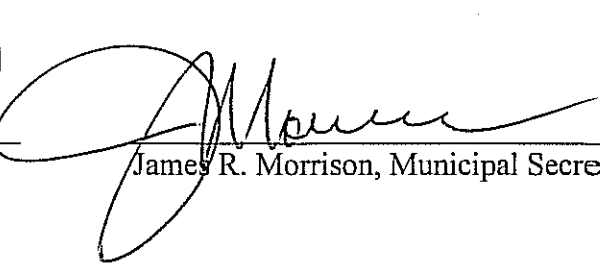
<i>Chapter 96</i>	<i>Uniform Construction Code</i>
<i>Chapter 97</i>	<i>Construction, Roads and Streets</i>
<i>Chapter 112</i>	<i>Fees</i>
<i>Chapter 120</i>	<i>Garbage, Rubbish and Refuse</i>
<i>Chapter 124</i>	<i>Grading, Excavations and Filling</i>
<i>Chapter 157</i>	<i>Noise</i>
<i>Chapter 174</i>	<i>Property Maintenance</i>
<i>Chapter 197</i>	<i>Erosion and Sedimentation Control</i>
<i>Chapter 198</i>	<i>Stormwater Management</i>
<i>Chapter 201</i>	<i>Subdivision and Land Development</i>
<i>Chapter 210</i>	<i>Vehicles and Traffic</i>
<i>Chapter 220</i>	<i>Zoning</i>

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Municipality of Murrysville as follows:

This Ordinance shall be effective upon its adoption in accordance with applicable law. ORDAINED AND ENACTED into law by the Council of the Municipality of Murrysville on the 5th day of October, 2011

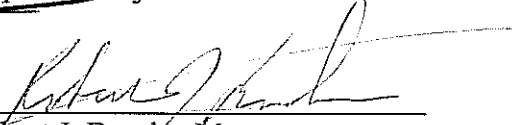
COUNCIL OF THE MUNICIPALITY OF MURRYSVILLE


Joan C. Kearns, Council President


James R. Morrison, Municipal Secretary

(Seal)

Approved Rejected:


Robert J. Brooks, Mayor

Date: October 5, 2011.

Member	Yes	No	Absent	Abstain
Nancy Kacin		✓		
Joan C. Kearns	✓			
Jeffery Kepler	✓			
Dennis Pavlik	✓			
Dave Perry				✓
Ron Summerhill	✓			
Regis Synan	✓			

10/5/2011