

**TOWNSHIP OF INDIANA  
ORDINANCE NO. 371**

**AN ORDINANCE OF THE TOWNSHIP OF INDIANA, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING TOWNSHIP ZONING ORDINANCE NO. 368 TO ADD DEFINITIONS AND TO ESTABLISH CRITERIA FOR OIL AND GAS OPERATIONS AS A CONDITIONAL USE IN ALL ZONING DISTRICTS IN THE TOWNSHIP EXCEPT FOR THE "VR" VILLAGE RESIDENTIAL DISTRICT AND THE "TR" TRAILER RESIDENTIAL DISTRICT, IN COMPLIANCE WITH THE PENNSYLVANIA OIL AND GAS ACT, AS AMENDED**

**WHEREAS**, the Township of Indiana (hereinafter the "Township") has the power to protect the health, safety, and welfare of people and property in the Township by regulating the use of property through its zoning powers, subject to the provisions of the Pennsylvania Oil and Gas Act as amended by Act 13 of 2012, 58 Pa.C.S. §§ 2301 et seq. ("the Act"); and

**WHEREAS**, the Township seeks to amend its Zoning Ordinance No. 368 to repeal Section 502 ("Oil and Gas Drilling Operations"), and to adopt provisions regulating oil and gas operations and natural gas processing plants and compressor stations to the extent permitted by the Act.

**NOW THEREFORE**, the Board of Supervisors of the Township of Indiana hereby ordains as follows:

Section 1.

Section 502 of the Indiana Township Zoning Ordinance No. 368 shall be deleted in its entirety and shall be replaced by the following:

**SECTION 502 - OIL AND GAS DRILLING OPERATIONS:**

The purpose of this chapter is to declare Oil and Gas Operations a use permitted by Conditional Use in all Zoning Districts of the Township except for the "VR" (Village Residential) and "TR" (Trailer Residential) Districts.

**A. Definitions.**

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

**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.

**OIL AND GAS OPERATIONS** - The term includes the following:

- i. 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;
- ii. water and other fluid storage or impoundment areas used exclusively for oil and gas operations;
- iii. 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; and
- iv. construction, installation, use, maintenance and repair of all equipment directly associated with activities specified in paragraphs (i.), (ii.) and (iii.), 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.

**WELLHEAD** - The component at the surface of an oil well or natural gas well that provides the structural and pressure-containing interface for the drilling and production equipment.

**NATURAL GAS COMPRESSOR STATION** - A facility designed and constructed to compress natural gas that originates from a natural gas well or collection of such wells operating as a midstream facility for delivery of Natural 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.

**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 are designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from Natural Gas.

**B. Zoning.**

1. Oil and Gas Operations shall be authorized as a conditional use in all zoning districts in the Township except for the "VR" (Village Residential) and "TR" (Trailer Residential) Districts, subject to the criteria contained in this Section and all restrictions contained in the Oil and Gas Act, as amended, 58 Pa.C.S. §§ 2301 et seq.
2. Oil and Gas Operations shall be conducted in accordance with the Pennsylvania Oil and Gas Act.

3. Oil and Gas Operations shall comply with Section 511 of the Zoning Ordinance ("Conditional Uses") except to the extent that such provisions are preempted by the Oil and Gas Act.

4. The applicant shall have obtained all applicable federal, state and local permits and approvals for the proposed use. In the event that such permits and approvals have not been issued at the time conditional use approval is requested, the conditional use approval of the Township shall be expressly conditioned on the granting of all permits and approvals required by federal, state and local laws.

## Section 2.

Article II, Section 201 ("Definitions") of the Indiana Township Zoning Ordinance shall be amended as follows:

**LIGHT MANUFACTURING:** The assembly, processing and fabrication of certain materials and products where no process involved will produce noise, vibration, air pollution, fire hazard or noxious emission which will disturb or endanger neighboring properties. Light manufacturing includes, but is not limited to, the production of the following goods: home appliances; electrical instruments; office machines; precision instruments; electronic devices; timepieces; jewelry; optical goods; musical instruments; novelties; wood products; printed material; lithographic plates; type composition; machine tools, dies and gauges; ceramics; apparel; lightweight non-ferrous metal casings; film processing; light sheet metal products; plastic goods; pharmaceutical and medical goods; computer and similar high technology operations; and food products but not animal slaughtering, curing, or rendering of fats.

## Section 3.

Table III-A ("Zoning Districts/Uses") shall be amended to reflect the provisions of this Ordinance.

## Section 4.

If a decision of a court of competent jurisdiction holds any individual provision of this Ordinance or the application of any individual provision of this Ordinance to any circumstance to be illegal or unconstitutional, the other provisions of this Ordinance and the application of such provisions to other circumstances shall remain in full force and effect. The intention of the Board of Supervisors of the Township of Indiana is that the provisions of this Ordinance shall be severable and that this Ordinance would have been adopted if any such illegal or unconstitutional provision had not been included.

## Section 5.

All prior Ordinances of the Township of Indiana which are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

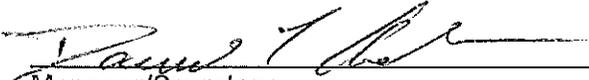
Section 6.

This Ordinance shall become effective upon adoption.

ORDAINED AND ENACTED this 9<sup>th</sup> day of April, 2013.

ATTEST:

TOWNSHIP OF INDIANA

  
\_\_\_\_\_  
Manager/Secretary

By:  \_\_\_\_\_  
Mayor, Board of Supervisors