

VILLAGE OF ALTAMONT

LOCAL LAW NO. 2 OF 2012

A LOCAL LAW Amending the Village of Altamont Zoning Law in Relation to Prohibition of Gas, Oil or Solution Drilling or Mining within the Village of Altamont.

Be it enacted by the Village Board of the Village of Altamont, Albany County, New York as follows:

SECTION 1. Legislative Intent and Purpose.

- A. The Village Board of the Village of Altamont finds, declares and determines that the exploration for natural gas, the extraction of natural gas and the storage, transfer, treatment or disposal of natural gas exploration and production of wastes in the environment of the Village poses a significant threat to its residents' health, safety and welfare. If natural gas exploration and extraction or the storage, transfer, treatment or disposal of natural gas production wastes were to occur within the Village, this activity would endanger the health, safety and welfare of residents through the deposit of toxins into the environment. Clean air and water are essential to most resources and activities in the area. The quality of the air and the water will be degraded by natural gas exploration and extraction activities and/or the storage, transfer, treatment or disposal of natural gas exploration and production wastes. These activities and waste products may presently or in the future cause irreparable harm to the Village's water supply. This Local Law is not directed at the regulatory scheme for the operation of natural gas wells under the Oil, Gas & Solution Mining Law of New York State. It only addresses the land use and nuisance concerns and the protection of the health, safety and welfare of the people of the Village of Altamont and the enhancement of its physical environment.

- B. This amendment is enacted pursuant to the Village Board's legislative and police powers to provide for the health, safety and general welfare of the Village and its residents.

SECTION 2. Zoning Law Amendments.

Chapter 355 of the Village of Altamont Code, the Village of Altamont Zoning Law, is hereby amended as follows:

- A. Section 355-5 ("Definitions") is amended by adding the following after "GARAGE, PUBLIC" and before "GASOLINE SERVICE STATION:" GAS, OIL OR SOLUTION DRILLING OR MINING: The process of exploration and drilling through wells or subsurface excavations for oil or gas and the extraction, production, transportation, purchase, processing, and storage of oil or gas, including, but not limited to the following:
- i. A new well and the surrounding well site, built and operated to produce oil or gas, including auxiliary equipment required for production (separators, dehydrators, pumping units, tank batteries, tanks, metering stations, and other related equipment);
 - ii. Any equipment involved in the re-working of an existing well;
 - iii. A water or fluid injection station(s) including associated facilities;
 - iv. A storage or construction staging yard associated with an oil or gas facility;
 - v. Gas pipes, water lines or other gathering systems and components including but not limited to drip station, vent station, chemical injection station or valve boxes;

- vi. Storage or disposal within the Village of Altamont of any wastes or byproducts arising from drilling or production of oil or gas at any location inside or outside the Village of Altamont;
- vii. Extraction of water from any source within the Village of Altamont for use in oil or gas drilling or production operations;
- viii. Transport over roads administered by the Village of Altamont of water, waste products, chemicals, or other supplies for use in oil or gas drilling or production operations.

B. Section 355-12 (B) ("Prohibited uses") is amended by adding a new subsection "(22)" to read: "Gas, Oil or Solution Drilling or Mining;" and by renumbering existing subsections "(22)" through "(50)" as "(23)" through "(51)."

SECTION 3. Effective Date

This Local Law shall take effect immediately.