

# ***NORTH EAST TOWNSHIP***

## ***ORDINANCE NO. 2014 - 003***

### ***AN ORDINANCE AMENDING NORTH EAST TOWNSHIP ZONING ORDINANCE NO. 2014-001.***

***NOW THEREFORE BE IT ENACTED AND ORDAINED*** by the Supervisors of North East Township, that North East Township Ordinance, No. 2014-001, ordained and enacted under the provisions of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, is amended as follows:

**Section 1.** SUPPLEMENT II - WIND ENERGY FACILITIES (Ordinance 2013-002, adopted November 4, 2013), Section 7.B.6 is hereby amended to read as follows:

6. A hydro-logic analysis of surface and subsurface water systems conducted and by a certified hydro-geologist. The study shall address all potential affects the construction and operation of the wind turbine could have on the aquifer and existing water wells, springs and other water sources. The study shall set forth the nature and extent of any potential affects on the aquifer, water wells, springs and other water sources, along with the likelihood thereof.

**Section 2.** SUPPLEMENT II - WIND ENERGY FACILITIES (Ordinance 2013-002, adopted November 4, 2013), Section 13.C. is hereby amended to read as follows:

C. All Wind Energy Facilities shall be designed and constructed in such fashion as to avoid any disruption and/or interference with private wells, springs and/or other sources of water. No Wind Energy Facility shall be constructed when the hydro-logic study shows that there is a substantial likelihood of adverse effect upon water wells, springs and/or other water sources. In the event a problem occurs with a private water source, which problem is proximately caused by the Wind Energy Facility, the Facility Owner and the Operator shall immediately, and within six (6) months permanently, supply potable water in such quantity and quality as was supplied by the original private water source.


If the hydro-geologist report, as required by Section 7.B.6., should reveal a potential adverse impact upon existing private water wells, the Facility Owner and Operator shall post a bond, acceptable to the Township, in the amount of \$20,000.00 for the first well potentially affected and an additional \$10,000.00 for each and every additional well which could potentially be affected. This bond is established for the purpose of ensuring compliance with the requirements of this paragraph. If the Facility Owner and Operator should

fail to comply with the requirements as set forth herein, the bond may be called and the funds applied to the costs of replacing and/or restoring affected water sources. The liability of the Facility Owner and the Operator shall not be limited to the amount of the bond.


**Section 3.** This Ordinance shall take effect ten (10) days after its adoption.

**ENACTED AND ORDAINED** by the Board of Supervisors of the North East Township, Erie County, Pennsylvania, this 19<sup>th</sup> day of May, 2014.

NORTH EAST TOWNSHIP

BY:   
Vernon Frye, Chairman

ATTEST:

  
Karen Ahlgrim, Secretary