

LOCAL LAW # 5
Moratorium on the process known as Hydraulic fracturing

Section 1. Title

This Local Law shall be referred to as the Local Law imposing a moratorium on the activity known as hydraulic fracturing and/or hydrofracking in the Town of Warren.

Section 2. Purpose and Intent

Pursuant to the statutory powers vested in the Town of Warren to regulate and control land use and protect the health, safety and welfare of its residents, the Town Board of the Town of Warren declares a twelve month moratorium on the process known as hydraulic fracturing and/or hydrofracking, as well as a moratorium on any activity associated therewith or intending to support such process including the establishment, implementation, placement, or construction of such process or activity in the Town of Warren.

Section 3. Scope of Controls

The Town Board of the Town of Warren shall not grant any approvals that would have as the result the establishment, implementation, placement, or construction of the process known as hydraulic fracturing and/or hydrofracking, including any activity associated therewith or intending to support such process including the establishment or implementation of such process or activity in the Town of Warren. The Town Board of the Town of Warren reserved the right to direct the Codes Officer to revoke or rescind any building permits, certificates of occupancy or other permits or certificates issued in violation of this Local Law.

Section 4. Consideration of New Application

No applications for construction affected by this Local Law or for approvals for a site plan variance, specific use permit, special use permit or other permits shall be considered by any board officer or agency of the Town while the moratorium imposed by this Local Law is in effect.

Section 5. Term

This moratorium imposed by this Local Law shall be in effect for a period of 12 months from the effective date of this local law. This moratorium may be extended for an additional period of 12 months at the discretion of the Town Board.

Section 6. Definitions

The terms Hydraulic fracturing and/or Hydrofracking shall mean the process of recovering and/or developing natural gas trapped behind shale or rock and which

generally is accomplished by a gas well that is drilled vertically into the ground and then horizontally from the well head, after which water, sand and/or chemicals are injected into the well the breaking and/or fracturing of shale and/or other natural structures under the ground intending to release natural gas from the ground.

Section 7. Effective Date

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

This Local Law was introduced by Councilman Roger Vaughn and seconded by Supervisor Richard A. Jack

Role call vote:

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| Supervisor Richard A. Jack | Aye |
| Councilman Roger Vaughn | Aye |
| Councilperson Dorayne Peplinski | Aye |
| Councilman Donald Oldick | Aye |
| Councilman Leslie Miller | Aye |