

## LOCAL LAW NO. 1 OF THE TOWN OF OLIVE OF THE YEAR 2012

### BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF OLIVE

#### Section 1. **TITLE**

This local law shall place a Moratorium on exploration, extraction, disposal and storage of natural gas within the Town of Olive.

#### Section 2. **PURPOSES**

The Town desires to protect the health, safety and welfare of the Town and its' inhabitants by regulating the use of natural gas within the Town of Olive. Pending the consideration by the Town Board giving due consideration to public input, the Town desires to enact a local law for a Moratorium. To that end, the Town has passed a resolution whereby for a period of one year, the extraction of natural gas by the process of hydro-fracking and the transportation, storage and disposal of any by-products of said process on the roads or lands within the Town.

#### Section 3. **ENACTMENT**

A Moratorium is hereby enacted on all uses furthering the exploration, extraction, disposal and storage of natural gas within the town of Olive for a period of one year from the enactment of this law.

#### Section 4. **WAIVER**

In the event that the enforcement of this Moratorium should result in undue hardship or practical difficulties, the Town Board, in its' sole discretion, may waive or vary any provision of this local law consistent with the health, safety and welfare of the community. Said application for a waiver shall be made to the Town Board in writing and shall be accompanied by a \$10,000 payment to be used by the Town to evaluate the application. If the Town permits an application to proceed, then any permits granted thereby will confirm to the new laws which will be enacted after the initial application.

#### Section 5. **SEVERABILITY**

The provisions of this local law are declared to be severable, and if any section, subsection, sentence, clause or part thereof for any reason is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this local law.

#### Section 6. **REPEALER**

All local laws or parts of local laws inconsistent or in conflict with this local law are hereby repealed to the extent of such conflict or inconsistency.

#### Section 7. **WHEN EFFECTIVE**

This local law will take effect as provided by law.