

**CHAPTER 470  
Oil and Gas Regulations**

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**SECTION 470.01 PURPOSE.**

The purpose of this Section is to provide for the health and safety of the residents of Rootstown Township, Portage County, Ohio, with regard to the drilling and operation of wells for oil, gas or other hydrocarbons in gaseous or liquid form.

**SECTION 470.02 FILING REQUIREMENTS.**

A zoning certificate shall be required to drill a new well, drill an existing well deeper or reopen a well. In addition to the zoning certificate requirements set forth in Chapter 610, the driller and/or operator of the well shall submit the following items to the zoning inspector:

- A. A complete copy of the application for permit required under ORC 1509.06 and OAC 1501:9-1-02 and a copy of the permit issued under such sections.
- B. A complete copy of the road weight permit as required and issued by the Portage County Engineer.
- C. Written verification indicating that the driller or operator has provided all owners of water wells located within a 1,000-foot radius of the drilling area the opportunity to have their well water tested as described herein.
  - 1. If any owners desire to have their well water tested, the driller shall, at its own expense, cause an Ohio EPA approved laboratory to test such water for barium, calcium, chloride, iron, manganese, magnesium, nitrate, nitrite, potassium sodium, strontium, sulfate and total dissolved solids.

2. A report of the findings of the test shall be prepared and a copy of the report shall be provided to the owner of the water well.

**SECTION 470.03 GENERAL REQUIREMENTS.**

- A. The driller shall provide sanitary facilities to the site in accordance with the Portage County Combined General Health District regulations during the drilling of the well and at such other times as the health department deems appropriate.
- B. The driller shall cause all permanent site lighting to be located to prevent direct glare from such lighting on adjacent public roads and residential uses.
- C. The driller and the landowner shall immediately notify the Rootstown Township fire department in the event of any oil or gas spills or gas leaks, explosions, fires, or other hazards that occur at the site.
- D. No person shall cause a fire to be started or maintained within 200 feet of any site except as otherwise permitted by law.
- E. The driller shall remove all drilling equipment and materials from the site within seven days after completing the drilling of the well.
- F. After completing the drilling, the driller shall keep all site equipment painted and maintained in good appearance.

**SECTION 470.04 FENCING AND LANDSCAPING.**

- A. The driller shall cause all wells and appurtenances (including all materials, tanks and equipment), whether producing or abandoned, to be enclosed by a six (6) feet high chain-linked fence with a four (4) feet wide (or larger) pad-locked gate. The fence and gate shall be installed within 30 days after completing the drilling of the well.
- B. The fence shall be completely screened from view by at least one row of evergreens planted five feet on center maximum. The evergreens shall be planted within two months after the fence is installed, weather permitting.
- C. The driller shall keep the fence and gate required in subsection 470.04A in good repair at all times and all landscaping shall be maintained in good condition.

**SECTION 470.05 NOISE.**

Where electricity is reasonably available to the site, no person shall use or operate a well without an electric powered pump motor. Where electricity is not reasonably available to the site, petroleum powered pump motors may be used provided such motors shall have an adequate muffler system so that the noise level of engines during the actual drilling does not exceed the noise level of 70 decibels at a 300-foot radius at any time.

**SECTION 470.06 ACCESS DRIVES.**

An access drive shall be provided from the street to the drilling area in compliance with the following:

- A. The access drive shall be installed prior to the arrival of any drilling equipment to the site and shall be maintained in an acceptable condition.
- B. The access drive shall be of such design and material so as to keep vehicular traffic from the site from carrying mud and dirt onto the public road. No driller or landowner shall allow mud and dirt to be carried onto the public road from a site.
- C. The driller and landowner shall cause the access drive to a site to be reasonably clear of snow, ice, mud, garbage, trash, abandoned vehicles and debris at all times.

**SECTION 470.07 SIGNS.**

- A. Every drilling area shall have a sign posted at the site of sufficient size to list the following:
  - 1. Name, address and telephone number of the driller;
  - 2. Ohio Department of Oil and Gas well number and permit number;
  - 3. The word "DANGER" in conspicuous print; and
  - 4. The telephone number of the Rootstown Township fire department and all other emergency telephone numbers as required by law.
- B. The driller and landowner shall keep the information provided on the sign described in subsection 470.07A current.

**SECTION 470.08 MINIMUM DISTANCES FOR NEW CONSTRUCTION.**

- A. New buildings or structures shall be located a minimum of 100 feet from any existing drilling site in residential districts and 100 feet in industrial and commercial districts. This regulation does not apply to buildings or structures used for agricultural purposes. *(Revised 1/13/06) (Revised 3/23/21)*

**SECTION 470.09 RESTORATION/ABANDONMENT.**

The drill site and surrounding area shall be restored upon completion of the drilling operations and/or be abandoned only in compliance with this Section.

- A. Within one month of completion of the drilling operations, the driller shall fill and level all pits and restore the land to its original condition insofar as it is possible, weather permitting.
- B. Any person who has been issued a permit under ORC 1509.06 and OAC 1501:9-1-02 and who has been ordered by the chief of the division of oil and gas to suspend drilling or operating any well, pursuant to ORC 1509.06, shall provide the zoning inspector with a complete copy of such order within 7 days.
- C. The driller and landowner shall notify the Rootstown Township fire department and the zoning inspector of the abandonment of any well.

**SECTION 470.10 DEFINITIONS.**

For the purpose of this Chapter, the following words shall have the meaning set forth herein.

- A. **Abandoned:** Any production well that has not been operated for six months or any drilling operation being halted, stopped, or otherwise suspended for 60 consecutive days.
- B. **Drilling Unit:** The minimum acreage on which one well may be drilled but does not apply to a well for injecting gas into or removing gas from a gas storage reservoir.

- C. Well: Any borehole, whether drilled or bored, for production, extraction or injection of any gas or liquid material, excluding potable water to be used as such, but including natural or artificial brines and oil field water.