

City of Tehuacana

Tehuacana, Texas 76686

AN ORDINANCE GOVERNING THE DRILLING AND OR CONSTRUCTION OF WELLS WITHIN THE CORPORATE CITY LIMITS AND EXTRA TERRITORIAL LIMITS THERETO;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEHUACANA, LIMESTONE COUNTY, TEXAS:

REQUIREMENT:

Application shall be made to City Council for permit for drilling of any type well. Information shall be furnished as to depth, purpose, impact on existing city water supply and other pertinent facts as may be required by the City Council.

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I Permit may be issued by City Council - signed by mayor and city secretary, after determination that well will not interfere city water supply.

Passed and approved by the City Council of the City of Tehuacana, Limestone County, Texas, this 18 day of March, 1981.

E. B. Protha
Mayor in and for the City of Tehuacana, Texas

Attested: Lucille Estia
City Secretary

City of Tehuacana

Tehuacana, Texas 76086

APPENDIX

ORDINANCE No. 11981

1. Definitions

- A. "Person": Shall include both singular and plural, and shall mean and include any person, individual, partnership, association, corporation, trust, or political subdivision.
- B. "Well": Shall include and mean any hole or bore to any sand, formation strata or depth which is or shall be drilled, bored, sunk, dug or put down for the purpose of exploring for or producing any oil, gas, hydrocarbons, water or other mineral substance.

2. REQUIREMENTS FOR PERMIT

It shall be unlawful for any person, whether acting for himself or for any other person as herein defined, to commence or continue to drill, or operate, any well at any location, within the city limits or extra territorial limits thereto of this municipality, without having first been issued a permit by the city for such drilling and or operation.

3. FILING FEE

Upon determination by the city council that a permit shall be issued. A fee of \$50.00 shall be paid before final issuance.

4. PROTECTION OF WATER SUPPLY

Before making its determination to issue a permit the Council may require of the applicant additional specific information, and may set conditions for the conservation and protection of the city water supply from pollution and contamination.

If it shall appear that the drilling of such well shall endanger the city water supply by contamination or pollution, the permittee shall be required to file with the city clerk a bond, executed by permittee as

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principal and by a good and sufficient corporate surety company, licensed to do business in the state as surety. Such bond shall inure to the benefit of the city and shall be in the amount of \$50,000.00 and shall be conditioned that the permittee will comply with the terms and conditions of this ordinance. Such bond shall become effective on or before the date same is filed with the city clerk, and shall remain in force and effect for at least six (6) months subsequent to the expiration of the term for which the permit is issued.

5. WELL CASING

The permittee shall, to the extent and in whatever manner may be necessary case and cement to absolutely protect all fresh water sands from any contamination from his drilling operation. The rules, regulations and orders of the state railroad commission as promulgated for this area shall be deemed to be the minimum necessary.

6. VIOLATION OF ORDINANCE

Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and each such violation and each day of the commission of each violation shall be considered a separate offense. The fine for any such offense shall be any sum not exceeding \$100.00 per violation.

7. If any part of this ordinance shall be found to be unconstitutional or invalid, such finding shall not nullify the entire ordinance, but those parts hereof not so found shall remain in full force and effect.