

Gas Drilling Ordinance - Retroactive Provisions

Ordinance Compliance Date - June 1, 2011

	Ordinance Section	Retro Existing Permits	Retro Amended Permits	New Permits
NOISE				
Expanded ambient noise study to 72 hours including a weekend day	13-515	N	Y	Y
Added pure tone limitations	13-515	Y	Y	Y
Added low frequency noise and vibration limitations	13-515	Y	Y	Y
Added noise restrictions for lift and line compression equipment	13-515	Y	Y	Y
Added flowback operations noise restrictions for nighttime hours (3 decibels over ambient)	13-515	Y	Y	Y
Increase noise wall height from 16 feet to 30 feet for Class 1 sites	13-515	N	Y	Y
Added noise wall specification requirements	13-515	N	Y	Y
Added requirement for online 24/7 access to noise data	13-515	N	Y	Y
DUST				
Removed waiver provision for dust control plans and added private road construction requirements	13-505	N	Y	Y
Concrete private roads	13-515	N	Y	Y
SECURITY				
Added security officer requirement	13-515	N	Y	Y
Added waste disposal management plan submittal requirement	13-515	N	Y	Y
CHEMICALS				
Added requirement for fracture fluid constituent identification upon environmental release	13-515	Y	Y	Y
NOTIFICATIONS				
Expanded Homeowners' Association (HOA) notification from ½ mile to 1 mile	13-507	N	Y	Y
Extended City Council public hearing notice requirement from 600 feet to 1,000 feet	13-507	N	Y	Y
Expanded HOA City Council public hearing notice requirement from ½ mile to 1 mile	13-507	N	Y	Y
Clarified operator to city notification requirements	13-504	Y	Y	Y
MISC.				
Added a prohibition on wastewater pipelines or treatment facilities without City Council approval	13-515	Y	Y	Y
Added seismic testing permitting requirements	13-520	N/A	Y	Y
Added permit suspension upon Texas Railroad Commission (TRC) permit lapse	13-504	Y	Y	Y
Added reimbursement requirements for third party consultants	13-505	Y	Y	Y
Added requirement for operator to submit pooling certificates with TRC permits	13-521	N	Y	Y
Added freshwater well survey requirements	13-515	N	Y	Y
Removed 30 day cure timeframe from permit suspension or revocation section	13-512	Y	Y	Y
Added bradenhead gauge requirement	13-515	Y	Y	Y
Clarified flowback requirements	13-515	Y	Y	Y
Clarified fracturing requirements	13-515	Y	Y	Y
Added transportation route notice sign requirement	13-515	Y	Y	Y
Changed Class 2 work hours to daytime hours	13-509	Y	Y	Y
Restrictions on landfarming	13-515	Y	Y	Y
Added Rule 37 exception and forced pooling notice requirements	13-521	Y	Y	Y
FRESHWATER WELLS				
Added 500 foot setback from private water wells owned by individuals not signing a mineral lease (200 foot setback for those signing a mineral lease)	13-515	N	Y	Y
Expanded freshwater well testing requirement from 500 feet to 750 feet	13-515	N	Y	Y
Provided more definition on freshwater well testing protocol	13-515	Y	Y	Y
Added freshwater well impact response provisions	13-515	Y	Y	Y
LANDSCAPING/WALLS				
Upgraded screening and landscaping requirements	13-516	N	N	Y
ROAD USE FEES				

Added road use fee requirements	13-522	N	Y	Y
AIR EMISSIONS				
Added limitation on any gas flaring (green completions)	13-515	Y	Y	Y
Added emission leak detection and compliance provisions	13-515	Y	Y	Y
PERMIT EXPIRATION				
Added 5 year limit on permit life (2 year administrative extension); additional extensions require City Council	13-504	N	Y	Y
FRAC PONDS				
Added design and landscaping/fencing requirements for fracture ponds	13-515	N	Y	Y
Added maintenance requirements for fracture ponds	13-515	Y	Y	Y
Added 500 foot setback requirement for fracture ponds	13-515	N*	N*	Y
Added 5 year limit on fracture pond (2 year administrative extension); additional extensions require City Council	13-515	N*	N*	Y
SETBACKS				
Changed setback measurement to edge of pad site	13-506	N	N	Y
Changed administrative permit approval to pad sites greater than 700 feet from protected use	13-506	N	N	Y
Changed requirement for City Council approval to permits between 500 and 700 feet	13-506	N	N	Y
Added a 70% waiver provision for permits between 500 and 700 feet to allow administrative approval	13-507	N	N	Y
Added prohibition on any new pad sites less than 500 feet of a protected use	13-506	N	N	Y
Changed City Council approval process from 3/4 vote to 2/3 vote	13-510	N	N	Y

* Unless new frac pond