

ORDINANCE

An Ordinance of the County of Luzerne imposing an unconventional gas well fee on each unconventional gas well spud in Luzerne County.

WHEREAS, Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes (hereinafter "Title 58") authorizes Luzerne County to impose an unconventional gas well fee; and

WHEREAS, Luzerne County desires to impose an unconventional gas well fee as set forth in this Ordinance; and

THE COUNCIL OF THE COUNTY OF LUZERNE HEREBY ENACTS THE FOLLOWING:

SECTION ONE. Incorporation of Preamble.

The provisions set forth above in the preamble to this Ordinance are incorporated herein by reference in their entirety.

SECTION TWO. Definitions.

The definitions of the terms "Unconventional gas well", "Fee", and "Spud" are the definitions of those terms as set forth in Section 2301 of Title 58, as may be amended.

SECTION THREE. Imposition of Fee.

The County of Luzerne hereby imposes an unconventional gas well fee on each unconventional gas well spud in Luzerne County, as authorized by Title 58. The amount of the fee shall be determined in accordance with Section 2302 of Title 58, as may be amended.

SECTION FOUR. Effective Date.

This Ordinance shall take effect 15 days after its proposed enactment in accordance with Section 2.15(A) of the Luzerne County Home Rule Charter.

SECTION FIVE. Transmittal to PUC.

A copy of this Ordinance shall be transmitted to the Public Utility Commission as required by Title 58.

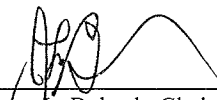
SECTION SIX. Repealer.

Any Resolution or Ordinance or parts thereof that conflict with or are inconsistent with this Ordinance are hereby repealed to the extent of the conflict or inconsistency with this Ordinance.

SECTION SEVEN. Challenge.

Adoption of this ordinance does not limit the right of the County of Luzerne to challenge the validity of provisions of Act 13.

Enacted by County Council, this 16th day of April, 2012.



James L. Bobeck, Chair



Linda McClosky Houck, Vice-Chair

Attest:


Colette Check, Interim Clerk to County Council