

**PART 9**

**LICENSING AND BUSINESS REGULATIONS**

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## CHAPTER 2

### ITINERANT MERCHANTS

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#### § 9-201      LICENSE REQUIRED.

A. It is unlawful for a transient merchant, itinerant or itinerant merchant or itinerant vendor as defined in § 9-202 of this code to engage in such business within the city without first obtaining a license therefore in compliance with the provisions of this chapter.

B. A transient merchant, itinerant or itinerant merchant, or itinerant vendor as defined in § 9-202 of this code shall not be required to obtain such license if sponsored by any religious, civic, charitable, fraternal or philanthropic group or organization within the city. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

#### § 9-202      DEFINITIONS.

For the purpose of this chapter a "transient merchant," "itinerant merchant" or "itinerant vendor" is defined as any person, firm or corporation, whether as owner, agent, consignee or employee, whether a resident of the city or not, who engages in a temporary business of selling and delivering goods, wares or merchandise within the city. "Itinerant" means having no regular place of doing business or soliciting in the city and includes but is not limited to making regular delivery or providing goods over an established route through the city. However, such definition, nor the license or fee required by this chapter, shall apply to any person, firm or corporation under direct sponsorship of a school, church, civic, fraternal or charitable organization within the city. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-203**      **APPLICATION.**

A. Applicants for a license under this chapter, whether a person, firm or corporation, shall file a written sworn application signed by the applicant, if an individual, by all partners, if a partnership, and by the president if a corporation, with the city clerk, showing:

1. The name or names of the person or persons having the management or supervision of applicant's business during the time that is proposed that it will be carried on in the city;

2. The local address or addresses of such person or persons while engaged in such business;

3. The permanent address or addresses of such person or persons;

4. The capacity in which such person or persons will act (that is, whether as proprietor, agent or otherwise);

5. The name and address of the person, firm *or* corporation for whose account the business will be carried on, if any;

6. If a corporation, under the laws of what state the same is incorporated;

7. The place or places in the city where it is proposed to carry on applicant's business, and the length of time during which it proposed that the business shall be conducted;

8. The place or places, other than the permanent place of business of the applicant, where applicant, within the six (6) months next preceding the date of the application, conducted a transient business, stating the nature thereof and giving the post office and street address for any building or office in which such business was conducted;

9. A statement of nature, character and quality of the goods, wares or merchandise to be sold or offered for sale by applicant in the city, the invoice value and quality of such goods, wares and merchandise, whether the same are proposed to be sold from stock in possession or from stock in possession and by sample; at auction, by direct sale or by direct sale and by taking orders for future delivery; where the goods or property proposed to be sold are manufactured or produced and where such goods or products are located at the time of the application is filed;

10. A brief statement of the nature and character of the advertising done or proposed to be done in order to attract customers, and, if required by the city clerk, copies of all the advertising, whether by handbills, circular, newspaper advertising or otherwise, shall be attached to the application as exhibits thereto;

11. Whether or not the person or persons conducting the applicant's business have been convicted of a felony, the nature of such offense and the punishment assessed therefore;

12. Credentials from the person, firm or corporation for which the applicant proposed to do business, authorizing the applicant to act as such representative;

13. A copy of the current and valid state sales tax permit in the name of the applicant;

14. Such other reasonable information as to the identity or character of the person or persons having the management or supervision of applicant's business or the method or plan of doing such business as the city clerk may deem proper to fulfill the purpose of this chapter in the protection of the public good;

15. Any merchant who applies to sell perishable foods or merchandise for human or animal consumption must have a county health department permit and must have a county health department inspection; and

16. License number and description of a(l vehicles to be used. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-204**      **INVESTIGATION AND ISSUANCE.**

Upon receipt of such application, the city clerk shall cause such Investigation of such person or person's business responsibility or moral character to be made as he deems necessary to the protection of the public good. If, as a result of such investigation, the applicant's character and business responsibility are found to be unsatisfactory, the application shall be denied. If as a result of the investigation, the character and business reputation appear to be satisfactory, the city clerk shall so certify in writing, and a license shall be issued by the city clerk, The city clerk shall keep a full record in his office of all licenses issued. Such license shall contain the number of the license, the date the same is issued, the nature of the business authorized to be carried on, the amount of the license fee paid, the expiration date of the license, the place where the business may be carried on under the license, and the name or names of the person or persons authorized to carry on the same. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-205**      **TAX COMMISSION REPORTS.**

Licensee acknowledges under oath that he will truly and faithfully report all sales to the sales tax commission and shall remit all applicable sales taxes collected as required by law. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-206**      **SERVICE OF PROCESS.**

Before any license as herein provided shall be issued for engaging in business as an itinerant merchant. as herein defined, in the city, such applicant shall file with the city clerk an instrument nominating and appointing the city clerk, or the person performing the duties of such position, his true and lawful agent with full power and authority to acknowledge service of notice of process for and on behalf of the applicant in respect to any matters connected with or arising out of the business transacted under the license. Immediately upon service of process

upon the city clerk, as herein provided, the city clerk shall send to the licensee at his last known address, by registered mail, a copy of the process. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-207**      **EXHIBITION OF LICENSE.**

The license issued under this chapter shall be posted conspicuously in the place of business named therein. In the event that such person or persons applying for the license shall desire to do business in more than one place within the city, separate licenses may be issued for each place of business and shall be posted conspicuously in each place of business. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-208**      **FEES.**

A. Licensees under this chapter shall pay a fee as set by the council.

B. Every person conducting a business licensed under this chapter shall, on the first business day of each week, and upon discontinuance of business in the city, present to the clerk of the city, at his office, a verified statement showing the total sales made during the preceding week. The clerk and any other officer designated by him shall have power and authority to enter any store, building or any other place in which such temporary business may be conducted at any time during business hours for ascertaining the amount of sales made and shall at all times have access to the books of such business. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-209**      **TRANSFER.**

No license shall be transferred without written consent from the mayor as evidenced by an endorsement on the face of the license by the city clerk showing to whom the license is transferred and the date of the transfer. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-210**      **LOUD NOISES AND SPEAKING DEVICES.**

No licensee under this chapter, nor anyone in his behalf, shall shout, make any outcry, blow a horn, ring a bell or buzzer or any other sound device, including any loud speaking radio or amplifying system, upon any of the streets, alleys, parks or other public places of the city or upon any private premises in the city where sound of sufficient volume is emitted or produced therefrom capable of being plainly heard upon the streets, avenues, alleys or parks or other public places, for the purpose of attracting attention to any goods, wares or merchandise which such licensee proposes to sell. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-211**      **DUTY OF POLICE TO ENFORCE.**

It is the duty of the police officers of the city to examine all places of business and persons in their respective territories subject to the provisions of the chapter, to determine if this chapter has been complied with and to enforce the provisions of the chapter against any person found to be violating the same. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-212      RECORDS.**

The city clerk shall deposit the application of licensee, together with a license number, with the chief of police; and the chief of police shall report to the city clerk any complaints against any person licensed under the provisions of this chapter and any conviction for violation of this chapter; the city clerk shall keep a record of all such licenses and of such complaints and violations. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-213      REVOCAION OF LICENSE.**

A. The permits and licenses issued pursuant to this chapter may be revoked by the mayor of the city after notice and hearing, for any of the following causes:

1. Any fraud, misrepresentation or false statement contained in the application for license;
2. Any fraud, misrepresentation or false statement made in connection with the selling of goods, wares or merchandise;
3. Any violation of this chapter;
4. Conviction of the licensee of any felony or of a misdemeanor involving moral turpitude; or
5. Conducting the business licensed under this chapter in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

B. Notice of hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed, postage prepaid, to the licensee, at his last known address, at least five (5) days prior to the date set for the hearing. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-214      APPEAL.**

Any person aggrieved by the decision of the city clerk in regard to the denial of application for license as provided for in § 9-204 of this chapter or in connection with the revocation of a license as provided for in § 9-213 of this chapter shall have the right to appeal to the council of the city. Such appeal shall be taken by filing with the council within fourteen (14) days after notice of the decision by the city clerk has been mailed to such person's last known address a written statement setting forth the ground for appeal. The council shall set the time and place for a hearing on such appeal, and notice of such hearing shall be given to such person in the same manner as provided in § 9-213 of this code for notice of hearing on revocation. The order of this council on such appeal shall be final. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-215      EXPIRATION OF LICENSE.**

All licenses issued under the provisions of this chapter shall expire ninety (90) days after the date of issuance thereof unless a prior date is fixed therein. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

**§ 9-216      PENALTY.**

Any person, firm or corporation violating any of the provisions of this chapter shall be punished, upon conviction thereof, as provided in § 1-108 of this code. (Amended 1986; 6-7-1994 by Ord. No. 94-3)

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- § 9-343      **Applicability to existing conditions.**
- § 9-344      **Informal complaints.**
- § 9-345      **Penalties.**

**§ 9-301**      **INTENT AND PURPOSE.**

Whereas the imprudent operation of an oil and gas facility can constitute a menace to the public health, safety and welfare of the city, it is the intent and purpose of this chapter that oil and gas operations be reasonably regulated for the public good. (Added 1990)

**§ 9-302**      **DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply:

1.      "Abandoned well" means:
  - a.      Each well in which no production casing has been run, and for which drilling or testing operations have ceased for thirty (30) consecutive days; or
  - b.      Any other well for which there is no current city permit;
2.      All technical or oil and gas industry works or phrases used herein and not specifically defined herein shall have that meaning customarily attributable thereto by prudent operators in the oil and gas industry;
3.      "Artificial production" means the raising to the surface of the earth, by means other than natural flow, petroleum or natural gas;
4.      "Corporation commission" means the Oklahoma Corporation Commission;
5.      "Deleterious substance" means any chemical, salt water, oil field brine, waste oil, waste emulsified oil, basic sediment, mud or injurious substances produced or used in the drilling, development, producing, transportation, refining and processing of oil, gas or condensate;
6.      "Enhanced recovery" means an operation by which fluid or energy is introduced into a source of supply for the purpose of facilitating recovery therefrom;
7.      "Natural production" means the raising to the surface of the earth, by natural flow, petroleum or natural gas;
8.      "Oil and gas inspector" means that person, firm or corporation appointed by the city council to enforce the provisions of this chapter, or by his authorized representatives;

9. "Permittee" means the person to whom is issued a permit or permits under the terms of this chapter;

10. "Pollution" means the contamination or other alteration of the physical, chemical, or biological properties of any natural waters of the city, or such discharge of any liquid, gaseous or solid substance into any water of the city as will or is likely to create a nuisance or render such waters harmful or detrimental or injurious to public health, safety, or welfare; to domestic, commercial, industrial, agricultural, recreational, or other beneficial uses; or to livestock, animals or aquatic life;

11. "Pressure maintenance" means an operation by which gas, water or other fluids are injected into a supply of oil to maintain pressure or retard pressure decline therein for the purpose of facilitation recovery therefrom, and which has been approved by the Corporation Commission after notice and hearing;

12. "Salt water" as used in this chapter means any water containing more than five hundred (500) mg/l chlorides;

13. "Treatable water" means surface and subsurface water in its natural state which mayor may not require treatment to be useful for human consumption, and contains less than ten thousand (10,000) ppm total dissolved solids and/or five thousand (5,000) ppm chlorides;

14. "Water" "waters of the city" or "city water" mean all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through or border upon the city or any portion thereof;

15. "Well" means, unless specifically qualified, an y hole or holes, bore or bores, to any depth for the purpose of producing and recovering any oil, gas or liquefied petroleum matter or deleterious substances, or for the injection or disposal of any of the foregoing. (Added 1990)

**§ 9-303      PERMITS.**

It is unlawful and an offense for any person acting for himself or acting as agent, servant, employee, subcontractor, or independent contractor or any other person, to operate, drill, own, abandon, plug, or close an original well within this city, or to reenter any abandoned well, or to work upon or assist in any way in the production or operation of any such well, without a permit having first been issued by the authority of the oil and gas inspector in accordance with this chapter. (Added 1990)

**§ 9-304      APPLICATION AND FILING FEE.**

A. Every application for a permit to drill an original well or to re-enter an abandoned well shall be in writing, signed by the applicant or by some person duly authorized to sign same on his behalf, and it shall be filed with the oil and gas inspector and be accompanied by a permit fee as set by the city council. No application shall request a permit to drill more than one well.

The application shall contain full information required by the oil and gas inspector, including the following:

1. Name and address of applicant and date of application;
  2. Where applying for a proposed original well:
    - a. A block map of the ten (10) acres surrounding the drill site, including thereon the location of the proposed well, and distance therefrom to all existing dwelling-houses, buildings, or other structures, designed for the occupancy of human beings or animals, and the owners thereof as shown by the current tax rolls in the county treasurer's office, within three hundred (300) feet of any such well, and the location of all existing oil, gas or fresh water wells within the ten (10) acre tract; and
    - b. The names of the mineral, surface and lease owners;
  3. A drilling prognosis, to specify in detail the amount, weight, and size of conductor pipe and surface pipe and the procedures to be used for cementing such. Plugging procedures to be used in the event production is not established shall also be specified;
  4. A statement of the provisions for water for the drilling rig;
  5. A written plan for disposal of deleterious substances produced during the drilling operations and any deleterious substances produced as a result of production from the well. This plan shall include- the method of transportation and the name of transporter or transport contractor for the deleterious substances and the name and location of the permitted disposal site, including a copy of the permit for the disposal site and a contract with the owner of the permitted site for the disposal of the deleterious substances, or in the alternative, provide proof of ownership of the permitted disposal site. The permittee shall provide monthly reports to the city of the amount of salt water and other deleterious substances produced, along with receipts for disposal of same;
  6. The name and address of the person within the state upon whom service of process upon applicant may be made within this state; and in the case of any nonresident person who has no such service agent within this state, there shall be attached to the application the designation of such a service agent resident in Oklahoma County, Oklahoma, and a consent that service of summons may be made upon such person in any action to enforce any of the obligations of the applicant hereunder; and
  7. A verification of the above information by the applicant hereunder.
- B. A copy of the approved drilling permit from the Corporation Commission and a copy of the staking plat shall be filed with the city prior to issuance of the municipal permit.

C. Where the application is one for the re-entry of an abandoned well, the application shall contain all the information required by Subsection A of § 4 above, with the exception that the oil and gas inspector may vary the requirements thereof to suit the application before him. Provided, that such an application for a permit to re-enter an abandoned well shall provide the following information in every case:

1. A statement of:
  - a. The then condition of the well;
  - b. The depth to which it is proposed such well shall be deepened;
  - c. The proposed casing program to be in connection with the proposed deepening; and
2. Evidence of adequate current tests showing that the casing strings currently passed the same tests that are required in the case of the drilling of an original well. (Added 1990)

**§ 9-305      ISSUANCE OR REFUSAL OF PERMIT.**

A. The oil and gas inspector's office within thirty (30) business days after the filing of an application for a permit under this chapter shall determine whether or not the application complies in all respects with the provisions of this chapter and applicable federal and state law, and, if it does, shall recommend to the mayor and city council that the permit be issued. Each permit issued under the terms of this chapter shall:

1. By reference have incorporated therein all the provisions of this chapter with the same force and effect as if this chapter were copied verbatim therein;
2. By reference have incorporated therein all the provisions of applicable state law and the rules, regulations and standards adopted in accordance therewith relating to the protection of human beings, animals, and natural resources;
3. Specify that the term of the permit shall be for a period of one year from the date of issuance thereof, and for like periods thereafter upon the successful inspection of the permittee's well and operations, as is provided for elsewhere herein;
4. Specify such conditions imposed by the oil and gas inspector as are by this chapter authorized; and
5. Specify that no actual operations shall be commenced until the permittee shall file and have approved the required bonds and certificate of insurance in the appropriate amounts as provided for elsewhere herein.

B. If the permit be issued, it shall, in two (2) originals, be signed by the oil and gas inspector and the permittee, and when so signed shall constitute the permittee's license to drill and operate in the city and the contractual obligation of the permittee to comply with the terms of such permit, such bonds as are required, and applicable state law, rules, regulations, standards and directives. One executed original copy of the permit shall be retained by the oil and gas inspector; the other shall be retained by the permittee and shall be kept available for inspection by any city or state law enforcement official who shall demand to see same.

C. If the permit be refused, or if the applicant notifies the oil and gas inspector in writing that he does not elect to accept the permit as tendered and wishes to withdraw his application, or if the bonds of the applicant be not approved, then upon the happening of any of the events the cash fee filed with the application shall be refunded to the applicant, except that there shall be retained therefrom by the city the sum as set by the city council a processing fee. (Added 1990)

**§ 9-306 PERMITTEE'S INSURANCE AND BOND.**

A. In the event a permit shall be issued by the oil and gas inspector, no actual operations shall be commenced until the permittee shall file with the city bonds or insurance as follows:

1. A bond or insurance in the principal sum of at least two hundred fifty thousand dollars (\$250,000.00) to be approved by the city. The bond or insurance shall be executed by an insurance company authorized to do business in the state, as surety, and with the applicant as principal, running to the city for the benefit of the city and all persons concerned, conditioned that the permittee will comply with the terms and conditions of this chapter in the operation of the well for either natural or artificial production, injection or disposal. The bond shall become effective on or before the date the same is filed with the city and remain in force and effect for at least twelve (12) months and subsequent to the expiration of the permit term, and in addition the bond will be conditioned that the permittee will promptly pay fines, penalties and other assessments imposed upon the permittee by reason of his breach of any of the terms, provisions and conditions of this chapter, and that the permittee will promptly restore the streets, sidewalks and other public property of the city which may be disturbed or damaged in permittee's operations, to their former condition; and that the permittee will promptly clear all premises of all litter, trash, waste, and other substances, and will, after abandonment, grade, level and restore the property to the same surface condition, as practicable as is possible, as existed prior to commencing operations; and further that the permittee shall indemnify and hold harmless the city from any and all liability attributable to granting the permit; and

2. If after the completion of a producing well, permittee has complied with all of the provisions of this chapter, such as removing derrick and clearing the premises, he may apply to the oil and gas inspector to have the bond or insurance reduced to a sum of not less than ten thousand dollars (\$10,000.00) for the remainder of the time the well produces without reworking or utilize an approved letter of credit, approved by the city, in the sum of ten thousand dollars (\$10,000.00). During reworking operations the amount of the bond or insurance shall be increased to the original amount.

B. In addition to the requirements in Subsection A of this section, the permittee shall obtain a bond or insurance in the principal sum of at least one million dollars (\$1,000,000.00). The bond or insurance shall be executed by an insurer licensed to do business in the state, as surety, and with applicant as principal, all persons concerned, conditioned that the permittee will comply with every applicable federal and state law and city ordinance, rule, regulation, standard or directive relating to the maintenance of the safe and beneficial physical, chemical and biological properties of any natural waters of the city; that the permittee shall obtain the necessary permits from the city and state with regard to any operations which have the potential of rendering such waters harmful or detrimental or injurious to the public health, safety and welfare; that the permittee shall bear all the costs necessary and incidental to the correction of any pollution to the waters caused by the permittee or permittee's agents, servants, employees, subcontractors or independent contractors; that the permittee shall pay all fines, penalties, assessments or judgment resulting directly or incidentally from the permittee's activities and which result in pollution of city waters; that the permittee shall indemnify and hold harmless the city from any and all liability resulting from the pollution of city waters.

C. In addition to the requirements in Subsections A and B of this section, the permittee shall carry a policy or policies of standard comprehensive public liability insurance, including contractual liability covering bodily injuries and property damage, naming the permittee and the city, issued by an insurer authorized to do business with the state, the policy or policies in the aggregate shall provide for the following minimum coverage:

1. Bodily injury, one hundred thousand dollars (\$100,000.00) per person;
2. Three hundred thousand dollars (\$300,000.00) per accident; and
3. Property damage, two hundred thousand dollars (\$200,000.00).

D. Permittee shall file with the city certificates of the insurance as above stated, and shall obtain the written approval there of the oil and gas inspector who shall act thereon promptly after the date of such filing.

E. The insurance policy or policies shall not be cancelled without written notice to the oil and gas inspector at least ten (10) days prior to the effective date of such cancellation. In the event the policy or policies are cancelled, the permit granted shall immediately thereupon terminate without any action on the part of the oil and gas inspector, and permittee's rights to operation under the permit shall cease until permittee files additional insurance as provided herein.

F. If, after completion of a producing well, the permittee has complied with all of the provisions of this chapter, such as removing derricks, clearing premises, and the like, he may apply to the oil and gas inspector to have the insurance policy or policies reduced as follows:

1. Bodily injury, fifty thousand dollars (\$50,000.00) per person;
2. One hundred thousand dollars (\$100,000.00) per accident; and

3. Fifty thousand dollars (\$50,000.00), property damage. (Added 1990)

G. For the purposes of the insurance requirements in § A, B, C, D, E and F, if

permittee maintains excess liability coverage of \$10,000,000.00 that is in excess of the required limits then permittee shall be permitted to be self retained up to the first million dollar limit. (Added 9-22-2010 by Ord. No. 2010-03)

**§ 9-307**      **ENHANCED RECOVERY AND SALT WATER OR DELETERIOUS SUBSTANCES DISPOSAL WELLS.**

A. No person shall re-enter any well or drill an original well to be used for enhanced recovery or disposal of salt water or other deleterious substances without first obtaining the necessary permit therefore. Such permit shall consist of two (2) separate parts:

1. Permit to drill or re-enter and construct; and
2. Permit to operate.

B. An application for the permit to drill or re-enter a well for enhanced recovery or substance disposal shall be in the original well, and shall contain complete information required by the oil and gas inspector, including the following:

1. A block map of the well site, showing all equipment to be used thereat, location of pipelines, access road, and distances from the well to any and all fences, public roadways, and buildings within a radius of three hundred thirty (330) feet;

2. A block map of the project, showing the location of;

- a. All water supply wells within a one-fourth (1/4) mile radius of each injection or disposal well;
- b. All public water supply wells, disposal wells, injection wells, producing wells and plugged and abandoned wells within the project area and those sections immediately adjacent;
- c. All conduits; and
- d. Tank battery, pumping station and appurtenant equipment.

3. All wells within the project area and those sections immediately adjacent shall be indicated by status (e.g., plugged and abandoned, injection, salt water, oil, etc.), and show the following additional information:

- a. Footage location (surface casing);

- b. Derrick floor and ground level elevation;
  - c. Drilled total depth;
  - d. Packer body total depth;
  - e. Size, depth and quality of surface and production casing, including zones from which casing has been removed;
  - f. Location of all plugs, packers, cement plugs, tubing anchors, etc., with the well bore;
  - g. Depth and nature of all cement squeeze jobs;
  - h. Formation name and depth of all open perforations in a producing open hole;
  - i. Volume and type of cement used on surface and production strings; and
  - j. Top of cement;
- 4. One copy of all electric, mechanical, sample and driller's logs, if available;
  - 5. Fee and operation name for each well;
  - 6. One copy of all cement bond logs and production logs;
  - 7. One copy of all work performed on the well; and
  - 8. Copies of all information supplied to the Corporation Commission, and the Commission's approval of the project.

C. Upon the completion of the application required hereunder, the oil and gas inspector shall have thirty (30) business days to review same and make a recommendation of approval or disapproval to the mayor and city council.

D. Prior to placing any enhanced recovery or substance disposal well into service, a permit to operate such well shall be obtained from the oil and gas inspector. Every application for a permit to operate such well shall contain the following information:

- 1. Depth to static water level (hydrostatic head). Such data shall be obtained by means of a method approved by the oil and gas inspector. Such data shall be obtained not less than forty-eight (48) hours after openings have been made through the casing into the injection disposal zone or zones; and

2. Based on the static water level identified in the previous paragraph, maximum operating pressures and rates of injection shall be established and maintained so as to prevent the hydraulic pressure level at a radius of ten (10) feet from the injection or disposal wells from rising above the base elevation of treatable water. Such maximum operating pressures and injection rates shall be noted on the permit. No injection or disposal well will be permitted to operate if the well's zone of influence will exceed the above referenced limits.

E. A fee in the sum as set by the city council shall be submitted along with every application for a permit to operate an injection or substance disposal well.

F. Copies of Corporation Commission Form No. 1015, indicating successful pressure testing of each injection well at a pressure greater than the maximum proposed for the project, or .if no such Form No. 1015 has been filed and approved, then sufficient evidence of the successful pressure testing of each injection well shall be filed with the oil and gas inspector.

G. Every such injection or disposal well shall be constructed so as to seal the injection zone from the upper portion of the casing. The annulus between the injection tubing and the casing shall be filled with a noncorrosive fluid, then sealed and a one-fourth (1/4) inch female fitting with cut off valve shall be attached so that the pressure in the annulus may be measured by the oil and gas inspector by attaching a gauge having a one-fourth (1/4) inch male fitting. A pressure shall be maintained in the annulus sufficient to monitor the fluids in the annulus. Any significant deviation from the established pressure shall be cause to shut down the well, and may result in cancellation of the operating permit, until such time as the established pressure can once again be maintained.

H. Injection lines shall be buried in a trench of a depth no less than four (4) feet, and shall be pressure tested (static) annually at a minimum of one hundred fifty percent (150%) of the pressure normally encountered at the injection pump discharge for a period of hours to be fixed by the oil and gas inspector. The oil and gas inspector shall be notified five (5) days in advance of such test and may supervise same. Test results shall be filed with the city upon completion.

I. Domestic and public water supply wells located within a radius of one-quarter (1/4) mile of any enhanced recovery or disposal well shall be tested prior to beginning injection or disposal and thereafter semi-annually for the presence of deleterious substances, such as chlorides, sulphates and dissolved solids. Such testing is the responsibility of the permittee and at permittee's expense, to be conducted by a person approved by the oil and gas inspector. The oil and gas inspector shall be notified five (5) days in advance of such testing and may be present therefore. Test results shall be filed with the city upon completion. (Added 1990)

**§ 9-308**      **ANNUAL FEE TO OPERATE.**

An annual inspection fee is hereby levied upon each well operated or maintained under a permit issued by the city; such fee shall be in the amount set by the city council, payable to the city on or before the annual anniversary date of the issuance of any permit under this chapter. No permit for any well shall be considered valid for any year for which the annual fee has not been

paid. Failure to pay any required permit fee within thirty (30) days of a delinquent notice sent to the latest address provided by the permittee will result in cancellation of the permit. (Added 1990)

**§ 9-309**      **DISPOSAL OF SALT WATER.**

A. Every permittee under this chapter shall be responsible for the safe disposal of salt water or other deleterious substances which he may bring to the surface of the earth and shall provide a plan for such disposal as required in Section 4(A)(6). Such disposal shall not result in pollution of the waters of the city and shall not result in any other environmental hazard, and shall incorporate the best available techniques and equipment.

B. In the event of any leakage or spillage of any pollutant or deleterious substance, whatever the cause thereof, the permittee shall cause the oil and gas inspector to be notified thereof promptly. If, in the judgment of the oil and gas inspector, such leakage or spillage represents a potential environmental hazard, he may issue whatever corrective orders he deems appropriate, and additionally may require the appropriate testing of the surface and subsurface for pollutant incursion, the cost of such test or tests to be borne by the permittee.

C. No person shall dispose of salt water or other deleterious substance in any lined or unlined earthen pit within the city limits.

D. No person shall inject any salt water or other deleterious substance into the annulus between the inside of the surface casing string and the next inside casing string, except when the bottom of the properly cemented surface casing extends two hundred (200) feet or more through or into a continuous impermeable clay barrier below the base of treatable water. (Added 1990)

**§ 9-310**      **COMPLIANCE WITH APPLICABLE LAWS.**

No person shall drill an original well or re-enter an abandoned well for any purpose, or permit to exist any well, structure, equipment, pipeline, machinery, tank or other appurtenance, in violation of any of the provisions of this chapter or other city ordinances as may be applicable, or the laws, rules, regulations, operative standards or directives of the state. (Added 1990)

**§ 9-311**      **SURFACE CASING.**

A. Surface casing shall be set a minimum of two hundred (200) feet below the deepest encounter of treatable water found in eight (8) sections adjacent to the section in which the well is located. Logs which identify the base of treatable water, shall be run in the surface hold before the surface pipe is set. A copy of such logs shall be filed with the oil and gas inspector; or surface casing may be set without the above required logging, provided the applicant can demonstrate to the satisfaction of the oil and gas inspector that the bottom of the surface casing will extend through or into at least two hundred (200) feet of continuous impermeable clay barrier below the base of treatable water, is properly cemented and cement bond logs run with the quality of the cement bond approved by the oil and gas inspector. Surface

pipe shall have a centralizer on the shoe joint, and centralizers within fifty (50) feet of the shoe joint, and centralizer no more than two hundred (200) feet apart above the second centralizer.

B. Surface pipe shall be cemented by attempting to circulate good cement to surface by normal displacement practices. If cement cannot be circulated to surface due to washed out hole or lost circulation, the existing cement shall not be over displaced and a plug shall be left in the bottom of the casing string to be drilled out once the surface is set. The remaining uncemented annular space will then be cemented until good cement is circulated to surface. No further drilling shall be accomplished until the cement has set for at least twenty-four (24) hours, or in the alternative, until samples of the cement have passed independent laboratory tests satisfactory to the oil and gas inspector.

C. Where an existing well is to be used as an injection or disposal site, the existing casing and cement shall be of such integrity and depth as to adequately and safely isolate fresh water producing zones from the seepage or bleeding of injection fluids or disposants. Where additional protective operations are undertaken to comply with this paragraph, the oil and gas inspector shall be notified thereof sufficiently in advance in order for him to be present for such operations. (Added 1990)

#### **§ 9-312      ABANDONMENT AND PLUGGING.**

Whenever any well is abandoned it shall be the obligation of the permittee and the operator of the well to set a two hundred (200) foot cement plug in the bottom of the surface casing, with the bottom of the plug one hundred (100) feet below the surface casing section; and to set a fifty (50) foot cement plug in the top of the surface casing. No surface or conductor string of casing may be pulled or removed from a well. During initial abandonment operations it will be the obligation of the permittee and operator to flood the well with mud-laden fluid weighing not less than nine (9) pounds per gallon, and to circulate this mud until stabilized and the well shall be kept filled to the top with mud-laden fluid of the weight herein specified, at all times, mud-laden fluid of the above specifications will be left in the well bore below and between cement plugs. Any additional provisions or precautionary measures prescribed by the state or the Corporation Commission of the state in connection with the abandonment and plugging of a well shall be complied with by the permittee. (Added 1990)

#### **§ 9-313      WELL LOCATION.**

No permit shall be issued for the drilling of an original well or the re-entry of an abandoned well at any location which is nearer than two hundred (200) feet of any permanent residence or commercial building, or which is closer than three hundred (300) feet to a producing fresh water well. (Added 1990)

#### **§ 9-314      FENCES.**

Any person who completes any well as a producer shall have the obligation to enclose the well, together with its surface facilities, by a fence sufficiently high and properly built so as to ordinarily keep persons and animals out of the enclosure with all gates thereto to be kept

locked when the permittee or his employees are not within the enclosure. Provided, that in non-platted areas the oil and gas inspector, at his discretion, may waive the requirement of any fence or may designate the type of fence to be erected. Fences must be kept locked at all times when workers of permittee are not present; a duplicate set of keys to the lock shall be filed with the oil and gas inspector. (Added 1990)

**§ 9-315**            **NOISE AND OTHER NUISANCES.**

All oil operations, drilling and production operations shall be conducted in such a manner as to eliminate, as far as practicable, dust, noise, vibration or noxious odors, and shall be in accordance with the best accepted practices incident to exploration for, drilling for and production of oil, gas and other hydrocarbon substances. Proven technological improvements in exploration, drilling and production methods shall be adopted as they become, from time to time, available, if capable of reducing factors of nuisance and annoyance. (Added 1990)

**§ 9-316**            **FACILITIES.**

All lease equipment shall be painted and maintained in a good state of appearance, and shall have posted in a prominent place a metal sign no less than two (2) feet square in area upon which the following information shall be conspicuous: permittee's name; lease name; location of the drill site by reference to the United States survey; identifying number of the permit issued by the city. (Added 1990)

**§ 9-317**            **STORAGE TANKS AND SEPARATORS.**

A. Crude oil storage tanks shall not be constructed, operated or used except to the extent of two (2) steel tanks for oil storage, not exceeding five hundred (500) barrels capacity each and so constructed and maintained as to be vapor tight. Provided, that additional tankage may be approved by the oil and gas inspector.

B. A permittee may use, construct and operate a steel conventional separator and such other steel tanks and appurtenances as are necessary for treating oil with each of such facilities to be so constructed and maintained as to be vapor tight. Each oil, gas separator shall be equipped with both a regulation pressure-relief safety valve and a bursting head. (Added 1990)

**§ 9-318**            **FIRE PREVENTION.**

Adequate fire fighting apparatus and supplies approved by the city fire department shall be maintained on the drilling site at all times during drilling and production operations. All machinery, equipment and installations on all drilling sites within the city limits shall conform with such requirements as may from time to time be issued by the fire department. (Added 1990)

**§ 9-319**            **PITS.**

Steel mud or circulating pits shall be used. Such pits and contents shall be removed from the premises and the drilling site within fifteen (15) days after completion of the well. Earthen pits will be allowed only as temporary emergency pits or as catch basins. Catch basin pits shall be used only for the purpose of catching any deleterious substance runoff and shall be not greater than three hundred twenty (320) cubic feet. Such catch basin will be equipped with a liquid level activated pump designed to keep fluids pumped out of such catch basin pit. All such earthen pits must be lined and approved in writing by the oil and gas inspector. Emergency pits shall be emptied as soon as the emergency is over and all such pits shall be emptied and then leveled within fifteen (15) days after completion of the well. (Added 1990)

**§ 9-320**      **RETAINING WALLS.**

A. An earthen retaining wall of adequate size for the terrain involved will be constructed on the low side of the well site in the event the well site is located on sloping or unlevel ground. The top of the retaining wall shall be at least level with the top of the base of the Christmas tree or other wellhead connections on any completed well, or at least level with the ground at the point where surface casing is set in the well when drilling.

B. An earthen diversion wall of adequate size for the terrain involved shall be constructed on the high side of the well site in the event the well site is located on sloping or unlevel ground. The diversion wall will be of sufficient height and strength so as to divert runoff waters around the well site. (Added 1990)

**§ 9-321**      **MOTIVE POWER.**

Motive power for all well pumping equipment shall be electricity unless otherwise approved by the oil and gas inspector. (Added 1990)

**§ 9-322**      **DERRICK AND RIG.**

It is unlawful and an offense for any person to use or operate in connection with the drilling, re-entry or reworking of any well within the city, any wooden derrick or any steam-powered rig, and all engines shall be equipped with adequate mufflers approved by the oil and gas inspector. Permitting any drilling rig or derrick to remain on the premises or drilling site for a period of longer than sixty (60) days after completion or abandonment of a well is hereby prohibited. (Added 1990)

**§ 9-323**      **DRILLING OPERATION, EQUIPMENT.**

All drilling, re-entry and operations at any well performed under this chapter shall be conducted in accordance with the best practices of the reasonably prudent operator. All casing, valves, and blowout preventers, drilling fluid, tubing, bradenhead, Christmas tree and well head connections shall be of a type and quality consistent with the best practices of such reasonably prudent operator. Setting and cementing casing and running drill stem tests shall be performed in a manner and at a time consistent with the best practices of such reasonably prudent operator. Any permittee under this chapter shall observe and follow the recommendations or regulations

of the American Petroleum Institute and the Corporation Commission, except in those instances that are specifically addressed by this chapter. A copy of all logs associated with the surface casing shall be filed with the oil and gas inspector. (Added 1990)

**§ 9-324**      **MOVING OF DRILLING RIG.**

It is unlawful and an offense for any person to move or cause to be moved the drilling rig from a well until the hole has been cased or properly plugged unless written permission to do so is obtained from the oil and gas inspector. (Added 1990)

**§ 9-325**      **STREETS AND ALLEYS.**

No well shall be drilled, and no permit shall be issued for any well to be drilled at any location which is within any of the streets or alleys of the city; and no street or alley shall be blocked or encumbered or closed in any drilling or production operation except with the written approval of the oil and gas inspector, and then only temporarily. (Added 1990)

**§ 9-326**      **FLARING OF GAS.**

All produced gas shall either be sold or flared with the flaring procedure being approved by the oil and gas inspector and the fire marshal. (Added 1990)

**§ 9-327**      **FRACTURE AND ACIDIZING.**

In the completion of oil and gas, injection, disposal or service well, where acidizing or fracturing processes are used, no oil, gas or other deleterious substances or pollutants shall be permitted to pollute any surface or subsurface fresh waters. (Added 1990)

**§ 9-328**      **SWABBING AND BAILING.**

In swabbing, bailing or purging a well, ail deleterious substances removed from the bore hole shall be placed in appropriate tanks and no substances shall be permitted to pollute any surface or subsurface fresh waters. (Added 1990)

**§ 9-329**      **RUPTURE IN SURFACE CASING.**

In the event a rupture, break or opening occurs in the surface or production casing, the permittee or the operator or drilling contractor shall take immediate action to repair it, and shall report the incident to the oil and gas inspector promptly. (Added 1990)

**§ 9-330**      **DEPOSITING OIL PRODUCTS.**

No person shall deposit, drain or divert into or upon any public highway, street or alley, drainage ditch, storm drain, sewer, gutter, paving, creek, river, lake or lagoon, any oil or oily liquid with petroleum content or any mud, rotary mud, sand, water or salt water, or in any manner permit by seepage, overflow, deliberate release or otherwise, any of such substances to

escape from any property owned, leased or controlled by such person and flow or be carried into or upon any public highway, street or alley, drainage ditch, storm drain, sewer, gutter, paving, creek, river, lake or lagoon, within the city. (Added 1990)

**§ 9-331**      **SAFETY PRECAUTIONS.**

Persons drilling, operating or maintaining any well shall use all necessary care and take all precautions which shall be reasonably necessary under the circumstances to protect the public. The provisions of this chapter shall be deemed to be the minimum requirements for the preservation of the public health, safety and welfare, and compliance with the terms hereof shall not be deemed to relieve any persons of any additional duty imposed by law. (Added 1990)

**§ 9-332**      **WATER FOR MUDS.**

In the event a fresh water supply well is drilled to provide water for drilling muds, upon the completion of operations for which such well is required, such well shall be plugged by cementing top to bottom, after notice of intention to so plug is provided the oil and gas inspector, who may supervise the operations. (Added 1990)

**§ 9-333**      **OIL AND GAS INSPECTOR.**

A. The city council may employ or retain a qualified person, person, firm or corporation as an oil and gas inspector, whose duty it shall be to enforce the provisions of this chapter.

B. The oil and gas inspector shall have the authority to issue such orders or directives as are required to carry out the intent and purpose of this chapter and its particular provisions. Failure to abide by any such order or directive shall be a violation of this chapter.

C. The oil and gas inspector shall have the authority to go upon and inspect any premises covered by the terms of this chapter to ascertain whether this chapter and the applicable laws, rules, regulations, standards or directives of the state are being complied with. Failure to permit access to the oil and gas inspector shall be deemed a violation of this chapter.

D. The oil and gas inspector shall have the authority to request and receive any records, specified in this chapter relating to the status or condition of any well or project or the appurtenances there within the city. Failure to provide any such requested material shall be deemed a violation of this chapter. (Added 1990)

**§ 9-334**      **SERVICE COMPANIES.**

Upon request of the oil and gas inspector, service companies or other persons shall furnish and file reports and records showing perforating, hydraulic fracturing, cementing, shooting, chemical treatment and all other service operations on any site covered by this chapter. Such furnished material shall remain confidential where such confidentiality is usually granted

by the state. Failure to provide any such requested material shall be deemed a violation of this chapter. (Added 1990)

**§ 9-335**            **ACCUMULATION OF VAPOR.**

The oil and gas inspector shall have the authority to require the immediate shutting in or dosing of any well if he finds that there exists, within a one hundred (100) foot radius of any well, any gas or gasoline vapor in a quantity sufficient to constitute, in his judgment, or in the judgment of the city fire marshal, a fire hazard. The well shall remain shut or dosed in until the hazard and its cause are removed. (Added 1990)

**§ 9-336**            **INSPECTION OF PRESSURE LINES.**

The oil and gas inspector shall inspect all pressure lines in use at any well or at any project to assure that tubing, fittings, equipment or connections are reasonably tight, safe and free from leaks. (Added 1990)

**§ 9-337**            **INGRESS AND EGRESS.**

Lease roads shall be maintained in such a manner as to safely and comfortably allow for ingress and egress of city or state personnel traveling in a common passenger motor vehicle. (Added 1990)

**§ 9-338**            **ORDER TO CEASE OPERATIONS.**

A.     If the oil and gas inspector finds that, in his judgment, a hazard to life or natural resources exists, he shall order immediate rectification of the cause. If the permittee takes no immediate measure to reduce the hazard, or if the situation be so perilous as to constitute an imminent threat to safety, then in either of these events he may order the prompt cessation of activity, and if necessary, the clearance of the premises.

B.     The oil and gas inspector shall apply to the city council for a hearing upon such order, which hearing shall be held not longer than twenty-four (24) hours after the issuance of the order by the oil and gas inspector. The city council shall determine if proper cause existed, and, if not, shall order the permittee's activity to resume without delay. If the city council determines that proper cause did not exist for the order to cease activity to issue, then he shall make whatever ruling is proper to assure rectification of the cause of the peril. Such ruling and compliance with it by the permittee shall not be construed to absolve the permittee of any liability for any violation of this chapter or for any damage or injury caused thereby. (Added 1990)

**§ 9-339**            **APPEALS.**

Any permittee aggrieved by any order, directive or ruling issued by the oil and gas inspector, or by any ruling by the city council, may appeal the same to the city council which shall hear the matter at a meeting. The lodging of such appeal shall not stay the enforcement of any of the provisions of this chapter. The city council, upon hearing the matter, may issue whatever ruling or order is appropriate, provided that such ruling or order be in keeping with the spirit and purpose of this chapter. (Added 1990)

**§ 9-340**      **REVIEW OF PERMIT RECOMMENDATIONS.**

Upon the consideration of any application for a permit required by the terms of this chapter, the oil and gas inspector shall recommend approval or disapproval thereof to the mayor and city council, who shall review the matter at a city meeting, and thereupon uphold or reverse the recommendation with or without the addition of any conditions thereto. (Added 1990)

**§ 9-341**      **CONDUITS ON STREETS AND ALLEYS.**

A. No permittee shall make any excavations or construct any line for the conveyance of fuel, water or minerals, on, under or through the streets and alleys of the town without first having obtained a permit therefore upon application to the oil and gas inspector.

B. The oil and gas inspector shall prescribe the forms to be used for such application and the information to accompany it.

C. Each application for a permit under this section shall be accompanied by a non-refundable filing fee as set by the city council.

D. The oil and gas inspector shall, within twenty (20) days of receipt of the properly executed application, either grant or deny the request.

E. The granting of any such permit shall not be construed to be the granting of a franchise. (Added 1990)

**§ 9-342**      **ANNUAL FEE FOR CONDUITS.**

A. The permittee under this chapter shall pay to the city an annual renewal and inspection fee per rod of conduit multiplied by the number of rods in the conduit for which the permit was issued.

B. The oil and gas inspector shall appoint a representative who may inspect such conduits to assure the public safety. No permit issued under this chapter shall be renewed if the conduit or any part thereof covered by such permit is in an unsafe condition. (Added 1990)

**§ 9-343**      **APPLICABILITY TO EXISTING CONDITIONS.**

A. This chapter shall apply to any person drilling an original well, re-entering an abandoned well, conducting natural or artificial production projects or operations, or maintaining a disposal well within the city on November 1, 19&6, and every such person shall have no longer than ninety (90) days to come into compliance with this chapter.

Provided that:

1. No initial permit fees shall be charged such person as would otherwise apply; and

2. No penalties shall be sought against any activity violative of this chapter where such activity pre-existed the adoption of this chapter and was otherwise in compliance with the applicable state law, rules, regulations, standards or directives. (Added 1990)

**§ 9-344      INFORMAL COMPLAINTS.**

If, upon information or inspection, it is found that a permittee is violating any portion of this chapter or causing damage or pollution to any surface or underground treatable water the oil and gas inspector shall file a written administrative complaint with the city council, a copy of which shall be delivered or mailed to the permittee or his agent. If upon subsequent inspection, it is determined that the permittee has taken the corrective actions specified, the complaint may be dismissed; otherwise, formal application will be made to the city council for an order revoking the permit, and for any other appropriate remedy; pending the outcome of the final determination of the city council on the formal application, the oil and gas inspector shall, after an onsite inspection, have the authority to shut down those operations where conditions appear obvious that surface or underground pollution is occurring. (Added 1990)

**§ 9-345      PENALTIES.**

It is unlawful and an offense for any person to violate or neglect to comply with any provisions hereof irrespective of whether or not the verbiage of each section hereof contains the specific language that such violation or neglect is unlawful and is an offense. Any person who shall violate any of the provisions of this chapter, or any of the provisions of a drilling and operating permit issued pursuant hereto, or any condition of the bond filed by the permittee pursuant to this chapter, or who shall neglect to comply with the terms hereof, shall be punished as provided in § 1-108 of this code, and the violation of each separate provision of this chapter, and of the permit, insurance and of the bond, shall be considered a separate offense, and each day's violation of each separate provision thereof shall be considered a separate offense. In addition to the foregoing penalties, it is further provided that the city council at any regular or special sessions or meeting thereof, may, provided ten (10) days notice has been given to the permittee that revocation is to be considered at such meeting, revoke or suspend any permit issued under this chapter and under which drilling or producing operations are being conducted in the event the permittee thereof has violated any provision of the permit, the bond, of this chapter. In the event the permit be revoked, the permittee may make application to the oil and gas inspector for re-issuance of such permit, and the action of the city thereon shall be final. Any continuing offense shall be considered a public nuisance, the remedies for which under law shall be in addition to those hereinbefore enumerated. (Added 1990)

## CHAPTER 4

### USE OF PESTICIDES, HERBICIDES, FUNGICIDES AND ALL AGRICULTURAL CHEMICALS

**§ 9-401 Required registration prior to application of agricultural chemicals.**

**§ 9-401 REQUIRED REGISTRATION PRIOR TO APPLICATION OF  
AGRICULTURAL CHEMICALS.**

A. No person or business shall, for profit or hire, use or apply any pesticide, including, but not limited to, herbicide, insecticide, fungicide or other chemical (hereinafter collectively referenced as "chemical" or "chemicals") to any property, ground covering, grass, foliage, shrubbery, tree or plant which is owned, possessed or occupied by another party unless the requirements herein are first met.

B. Prior to the application of any chemical, the person or business must register with the city clerk by completing all forms and providing such information as required by the city clerk. The information required shall include, but not be limited to:

1. The precise address at which the chemicals are to be used or applied.
2. The name of the owner or person in possession of the property on which the chemicals are to be used or applied.
3. A full and complete description of the name of the chemicals and the manner and the method of use or application.
4. Whether the chemical is restricted.
5. A copy of the applicant's certification and/or license, issued by the Oklahoma Department of Agriculture, if the applicator is a commercial applicator or certified service technician. If the applicant is not a commercial chemical applicator, the applicant must submit a signed statement from the owner/possessor of the property on which the chemicals are to be used or applied certifying that s/he is authorized to apply said chemicals.
6. A certification that the applicant will comply with all rules and regulations of the Department of Agriculture in applying the chemicals.
7. A certification that the applicant has inspected all properties surrounding or adjacent to the property to which the chemicals are to be applied and has determined that the chemicals will not harm any plants or foliage on the surrounding or adjacent properties.
8. A certification that the applicant maintains records as required by the Department of Agriculture.

9. A certification that the applicant maintains insurance as required by the Department of Agriculture.

10. A certification that all wind and weather conditions are appropriate for application of the chemical which is the subject of the registration.

11. Such other information and certifications as the city clerk, mayor or city council believes to be appropriate.

C. The registration required herein shall be completed for each and every property on which any chemical is to be applied, regardless of whether the properties are owned by the same person or entity.

D. Any applicator must be able to produce proof of registration with the city to any police officer or employee of the city who requests such proof. Failure or inability to provide such proof shall result in imposition of the penalty for failure to register as set forth herein.

E. The penalty for failure to register as required herein shall be a fine of up to one hundred dollars (\$100.00) for every property on which chemical is applied prior to registration.

F. The registration requirements set forth herein shall not apply to the city or other governmental entity.