

ORDINANCE NO. 1982-1

Revised July 29, 1994

AN ORDINANCE REQUIRING THE PLUGGING OF HOLES DRILLED FOR THE PURPOSE OF EXPLORATION FOR AND/OR PRODUCTION OF OIL, GAS OR OTHER MINERALS

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF YUMA COUNTY AS FOLLOWS:

SECTION ONE

It is the duty of any person, association, corporations, or other entity intending to drilling or make in any manner holes for the purpose of exploration for and/or the production of oil, gas or other minerals to first notify, in writing, the party in possession of the surface of said premises upon which said activity is to take place. Proof of prior notification or attempted prior notification shall accompany the permit application.

SECTION TWO

It is the duty of any person, association, corporation, or other entity drilling or making in any manner holes for the purpose of exploration for and/or production of oil, gas or other minerals to fence or place a barrier around and/or over such hole or holes that will reasonably prevent persons and/or livestock from falling into such hole or holes.

SECTION THREE

It is the duty of any person, association, corporation, or other entity drilling or making in any manner holes for the purpose of exploration for and/or production of oil, gas or other minerals, within ten days of drilling or making in any manner such hole or holes, to (1) plug said hole or holes in accordance with the requirements of the Colorado State Engineer for plugging abandoned water wells; (2) cement all geological formational contacts; and (3) restore the surface of the land to its original condition as nearly as possible.

SECTION FOUR

It is the duty of any person, association, corporation, or other entity drilling or making in any manner holes for the purpose of exploration for and/or production of oil, gas or other minerals to take necessary precautions to protect the fresh water formations penetrated by each hole against contamination.

SECTION FIVE

Any person, association, and corporation who violates any of the provisions of this ordinance commits a class 2 petty offense and shall, for each such offense, upon conviction thereof, be punished by a fine of not more than THREE HUNDRED DOLLARS (\$300.00).

SECTION SIX

This ordinance shall take effect upon adoption, in that it is necessary for the immediate preservation of the public health and/or safety; failure to protect persons and/or livestock from falling into holes drilled for the purpose of exploration for and/or production of oil, gas or other minerals and the failure to plug such holes would create a danger to the public health and/or safety by creating a potential for injury to persons and/or livestock and by creating a potential danger to the fresh water.

SECTION SEVEN

This ordinance is adopted pursuant Title 30, Article 15, Part 4 of the Colorado Revised Statutes, 1973, as amended.

INTRODUCED, READ, AND ORDERED PUBLISHED this 29th day of July, 1994, all commissioners voting in the affirmative for the adoption of this ordinance at their regular meeting.

COUNTY OF YUMA, COLORADO

BY: Stanley E. Shafer
Stanley E. Shafer
CHAIRMAN of the Board
of Yuma County Commissioners

ATTEST:

Janice J. Cobb
Janice J. Cobb
Yuma County Clerk and Recorder

Said ordinance was published in the Wray Gazette, Wray, Colorado on the 10 day of August, 1994, and the Yuma Pioneer, Yuma, Colorado on the 11 day of August, 1994, and is hereby passed, adopted and approved this 16 day of August, 1994.

COUNTY OF YUMA, COLORADO

BY: Stanley E. Shafer
Stanley E. Shafer
CHAIRMAN of the Board
of Yuma County Commissioners

ATTEST:

Janice J. Cobb
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Yuma County Clerk and Recorder