

---

# **EXTRACTION OF MINERALS**

---

## **20.0 GENERAL REQUIREMENTS**

Any owner, lessee or other person, firm or corporation having an interest in mineral lands in any C-1 and AG Districts shall file with the Board an application for authorization to mine minerals therefrom, provided, however, that he shall comply with all requirements of the District in which said property is located, and with the following additional requirements:

1. Distance from Property Lines: No quarrying operation shall be carried on or stock pile placed closer than fifty (50) feet to any property line unless a greater distance is specified by the Board where such is deemed necessary for the protection of adjacent property; provided that this distance requirement may be reduced to twenty-five (25) feet by written consent of the owner or owners of the abutting property.
2. Distance from Public Right-of-Way: In the event that the site of the mining or quarrying operations is adjacent to the right-of-way of any public street or road no part of such operation shall take place closer than fifty (50) feet to the nearest line of such right-of-way.
3. Fencing: Fencing shall be erected and maintained around the entire site or portions thereof where necessary for public safety.
4. Equipment: All equipment and machinery shall be operated and maintained in such manner as to minimize dust, noise, and vibration. Access roads shall be maintained in dust-free condition by surfacing or other treatment.

## **20.1 APPLICANT - FINANCIAL ABILITY**

In accepting such plan for review, the Board must be satisfied that the proponents are financially able to carry out the proposed mining operation in accordance with the plans and specifications submitted. Proponents shall post performance bond to insure such ability.

Adopted Date     01-04-2004  
Effective Date    02-04-2004

## **20.2 APPLICATION - CONTENTS, PROCEDURE**

An application for such operation shall set forth the following information:

1. Name of the owner or owners of land from which removal is to be made.
2. Name of applicant making request for such permit.
3. Name of the person or corporation conducting the actual removal operation.
4. Location, description and size of the area from which removal is to be made.
5. Location of processing plant used.
6. Type of resources or materials to be removed.
7. Proposed method of removal and whether or not blasting or other use of explosives will be required.
8. Description of equipment to be used.
9. Method of rehabilitation and reclamation of the mined area.

## **20.3 PUBLIC HEARING**

Upon receipt of such application, the Board shall set the matter for a public hearing in accordance with the provisions of Article 4.

## **20.4 REHABILITATION - PERFORMANCE BOND**

To guarantee the restoration, rehabilitation and reclamation of mined-out area, every applicant granted a mining permit as herein provided, shall furnish a performance bond payable to the township. The bond amount shall be not less than one hundred thousand (\$100,000) dollars and not more than five hundred thousand (\$500,000) dollars. This will be to guarantee that such applicant is restoring, reclaiming and rehabilitating such land. The following minimum requirements shall be met within a reasonable amount of time.

1. Surface Rehabilitation: All excavation shall be made either to a water producing depth, such depth to be not less than five (5) feet below the low water mark, or shall be graded or backfilled with nonnoxious, nonflammable and noncombustible solids, or secure:
  - a. that the excavated area shall not collect and permit to remain therein stagnant water; or,
  - b. that the surface of such area which is not permanently submerged is graded or backfilled as necessary so as to reduce the peaks and depressions thereof - so as to produce a gently running surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjoining land area.
2. Vegetation: Vegetation shall be restored by appropriate seeds of grasses or planting of shrubs or trees in all parts of said mining

area where such area is not to be submerged under water as above provided.

3. Banks of Excavations not Backfilled: The banks of all excavations not backfilled shall be sloped to the water line. Slope shall not be less than three (3) feet horizontal to one (1) foot vertical and said bank shall be seeded.

## **20.5 ADDITIONAL REQUIREMENTS**

In addition to the foregoing the Board may impose such other conditions, requirements or limitations concerning the nature, extent of the use and operation of such mines, quarries or gravel pits as the Board may deem necessary for the protection of adjacent properties and the public interest. The said conditions, the amount of the performance bond and reasonable time shall be determined by the Board prior to issuance of the permit.

## **20.6 GAS AND OIL WELLS**

In any and all Districts of the Township a well may be drilled for the exploration for or production of natural oil or gas only after or when the following conditions have been complied with:

1. Compliance with all applicable laws of the State of Ohio.
2. No tanks or reservoirs erected or intended for the storage of petroleum products shall be located within fifty (50) feet of any public right-of-way nor within one hundred (100) feet of a residential lot line.