

Section 16-170 - Zoning.

“Oil, gas, or service wells shall be permitted in ~~all zoning districts as a conditional use only, as provided for in this article and in the City zoning code; provided, however, that the Board of City Commissioners shall have the power to refuse any application for a conditional use permit by reason of the location of the proposed well and the character and value of the permanent improvements already erected on the drilling property in question or adjacent thereto, or because of the use to which the land and surroundings are adapted for civic purposes, or if, for sanitary reasons, the drilling of the well will be a serious disadvantage to the City and its inhabitants as a whole~~ the Agricultural (AG) and General Industrial (GI) zoning districts after approval from the North Dakota Industrial Commission is obtained.”

Section 16-174 – Distance limitations and spacing requirements.

In all areas within the zoning jurisdiction of the City, the following shall apply:

1. Generally.
 - a. No well shall be located less than 100 feet from any building or structure not necessary for the operation of the well. No well shall be located less than 300 feet from any building or structure of any residential use, educational use, institutional use, commercial office or retail use, or other place of assembly.
 - b. In the event of a pre-existing well, no building shall be constructed, and the City shall not issue a building permit or certificate of occupancy for any building or structure not in conformance with this section.
2. Wellheads, tank batteries and associated on-site production equipment shall be located not less than 100 feet from the edge of any public right-of-way.
3. The requirements of this section may be waived, in the sole discretion of the ~~Board of City Commissioners, as part of the conditional use permit upon finding by the Board that such waiver is consistent with public health, safety and welfare~~ North Dakota Industrial Commission.”

