

ORDINANCE NO. 2024-0617A
**AN ORDINANCE AMENDING HAZARDOUS LIQUID PIPELINES
REGULATIONS IN WARREN COUNTY, INDIANA**

WHEREAS, the Warren County Commissioners previously passed Ordinance No. 2024-0506A establishing regulations for hazardous liquid pipelines in Warren County, Indiana; and

WHEREAS, upon further study and review, the Warren County Commissioners believe that the setbacks in such regulations should be amended to avoid and/or minimize the risks, dangers, and inconvenience to health, safety and general welfare of the citizens of the County; and

WHEREAS, the County may lawfully regulate and restrict the use of land for trade, industry, residence or other purposes in accordance with a comprehensive plan and in designs to further the health, safety, convenience and welfare of its citizens as set forth in Indiana Code §36-7-4-201; and

NOW, THEREFORE BE IT ORDAINED by the Warren County Commissioners that Ordinance No. 2024-0506A is hereby amended as follows:

VI. SETBACKS

A Hazardous Liquid Pipeline shall not be constructed, used, sited, or located, in violation of the setback requirements listed below. In addition, the terms of an Independent Agreement regarding a Line Location shall conform to the setback requirements listed below. All distances shall be measured from the centerline of the proposed Hazardous Liquid Pipeline to the portion of the existing use nearest the centerline of the proposed Hazardous Liquid Pipeline. The minimum setback distances for a Hazardous Liquid Pipeline are:

- A. From the town limits of an incorporated or unincorporated town or boundaries of a school building, not less than two miles.
- B. From a church, not less than one mile
- C. From a nursing home, long-term care facility, or hospital, not less than one-half of one mile.
- D. From a public park or public recreation area, not less than one-half of one mile.

- E. From any Occupied Structure, not less than one-half of one mile.
- F. From a confined animal feeding operation or facility, not less than 1,000 feet.
- G. From an electric power generating facility with a nameplate capacity of 5MW or more, an electric transmission line operating at 69kV or higher, an electric transmission substation, a public drinking water treatment plant, or a public wastewater treatment plant, not less than 1,000 feet.

If a Property Owner has executed an Independent Agreement prior to the effective date of this Article and the Independent Agreement provides for setback requirements that are greater than the setback requirements this Article, then the Pipeline Company shall comply with the terms of the Independent Agreement with the Property Owner.

Additionally, all wellheads associated with Hazardous Liquid Pipelines shall be setback no less than four hundred (400) feet from the property lines of any parcel on which a wellhead is located.

All other provisions of Ordinance No. 2024-0506B shall remain in full force and effect.

So Ordained this 17th day of June, 2024.

BOARD OF COMMISSIONERS OF
WARREN COUNTY



Craig Greenwood, President



John Comer



Clay Andrews

ATTEST:



Robin Weston-Hubner, Warren County Auditor