

CHAPTER 19 GASOLINE STATIONS

Sec. 19-1 Defined.

The term gasoline station, when used in this chapter, shall mean any building or lot having pumps and storage tanks where petroleum products, or accessories for motor vehicles, are sold or offered for sale at retail. (Code 1972, 7.151)

Cross reference – Definitions and rules of construction generally, 1-2.

Sec. 19-2 Construction permit – Required

- (a) Permission for the construction of a gasoline station is granted only by resolution of the city commission in regular session.
- (b) No building permit for the construction of a gasoline filling station will be issued until special permission of the city commission has been obtained. (Gen. Code 1946, Ch. 2, 704; Code 1972, 7.155)

Sec. 19-3 Same – Application

Application for a construction permit under section 19-2 shall be addressed to the city commission and filed with the clerk and shall state the location of the proposed gasoline station, the capacity of the tank or tanks to be used, and state in detail the plans and specifications of the proposed structure to be used in connection with such gasoline station, which shall in all respects conform to this Code. The plans and specifications and the location of such gasoline station shall be subject to the approval of the city commission; and such approval shall be withheld by the city commission and no permit shall be granted, if the city commission shall find that such gasoline station would be dangerous or detrimental to the public safety and welfare, because of traffic congestion or conditions, or otherwise unsafe because of its proximity to any hospital, sanitarium, school, church or theater, nor in any location where by reason of traffic conditions or fire or explosion hazard a gasoline station would imperil the public safety; and no such permit shall be granted for a gasoline station in any location where the same would be restricted or prohibited under the provisions of the zoning ordinance. (Gen. Code 1946, Ch. 2 705; Code 1972, 7.156)

Sec. 19-4 Layout and construction regulations

- (a) All gasoline stations in the city must comply with the following provisions:
 - (1) Number of driveways. Three (3) driveways only are allowed.
 - (2) Width of driveways. The total width of all driveways to any gasoline station shall not exceed seventy-five (75) feet at the curblines of the street.
 - (3) Driveways bounded by curbs. Driveways shall be bounded on each side by a curb with a perpendicular face varying in height from zero inches at the outside of the sidewalk to six (6) or the height of the city curb, if the existing curb is more or less than six (6) inches at the curblines.
 - (4) Equipment near street. Pumps, oil pits, air hoses, wash racks and any other equipment used in the servicing of cars, if set parallel to the street line, shall not be located nearer than ten (10) feet from the street or walk line. If this equipment is set at an angle to the street line, it shall not be located nearer than thirteen (13) feet from the street or walk line.
 - (5) Waiver for location of pumps near property line. Where a gasoline station has

heretofore been constructed and there is not sufficient room between the building and the property line to locate the pumps ten (10) feet from the property line as required, and have remaining sufficient room to service cars between the pumps and the building, the city commission, may upon application approve the location of pumps at the property line, to furnish service only on the property side, provided the necessary obstruction of curbs, railings or other approved means are installed to make it difficult or impossible to drive cars on the sidewalk for service.

- (6) Vehicles prohibited on sidewalks. It shall be unlawful for any person or any attendant at any gasoline station to service any motor vehicle by providing gasoline, oil, water or other service while the motor vehicle or any part thereof is standing on any portion of the sidewalk.
- (7) Reinforcement of sidewalks. If the placement of equipment is such that a car may stand on the walk during servicing or when entering or leaving the station drive over a portion of the walk not included in the regular driveways, a curb not less than six (6) inches in height, eight (8) inches wide, shall be placed on the property abutting the street extending the full length of such portion of the walk as may be subject to this condition and made integral with the driveway with reinforcing placed in the curb so that it cannot be easily removed, or if separated from the driveway at least eighteen (18) inches deep, eight (8) inches wide and six (6) inches above the driveway with necessary reinforcing so that it cannot be broken off easily; also, curb and gutter where driveways are placed must both be removed and replaced as an integral part of the driveway. All existing sidewalks where driveways cross must be removed and replaced as part of the driveway. All concrete driveways within the street limits shall be reinforced and not less than six (6) inches in thickness and meet all other requirements of the city.
- (8) Paving of driveways. Hard surface such as concrete or asphalt may be required for the paving of all driveways.
- (9) Construction of walks. If walks do not exist adjacent to the property, it may be required that walks on the line and grade as set by the city engineer be included in the construction of the station.
- (10) Grade of walks. Existing walks may be changed as to grade only when such change is not disadvantageous to adjoining walks and properties and then only upon permission and at a grade set by the city engineer.
- (11) Construction of curbs. If the curb does not exist adjacent to the property, it may be built if the petitioner so desires, but only on line and grade and of the cross section of materials designated by the city engineer.
- (12) Interference with drainage by driveways. Where driveways interfere with drainage of the street, as in the moving or removal of catch basins, permission shall be granted only when such change is made with the approval of and according to plans prepared by the city engineer.
- (13) Removal of trees. The removal of large trees on city property shall be carefully avoided and plans made to install driveways in such a manner that the removal of such trees may be avoided. The removal of any tree on city property (in the street) may be permitted only by the city.
- (14) Main building. The main building of the station must be of neat appearance and constructed in accordance with the building code of the city.
- (15) Advertising signs. No advertising signs constructed of wood or any inflammable material, or of such dimensions as to obstruct the view of traffic, or which shall in any way hinder access of the station from all directions by the fire department shall be constructed or allowed to exist on any premises used as a gasoline station.

- (b) The city commission may further restrict the amount of driveway space or require further additional restrictions where deemed necessary.
- (c) Nothing in this chapter shall be construed as prohibiting any parking in the street or streets adjacent to the gasoline station except in the two (2) driveways allowed to the station.
- (d) Nothing in this chapter shall prohibit the city commission from directing the city manager to reinstall the curb and reduce the width of driveway space to any gasoline station when driveways are deemed excessive in width, except such driveways shall not be reduced to less than two (2) thirty-foot driveways. (Gen. Code 1946, Ch. 2, 702, 703, 707.11; Code 1972, 7.153, 7.154)

Sec. 19-5. Licensing

No gasoline station shall be established or maintained within the city without first obtaining a license therefor in accordance with the provisions of chapter 21. (Gen. Code 1946, Ch. 2, 708; Code 1972, 7.152)

Sec. 19-6. Posting of prices.

Each operator of a gasoline station shall post upon each retail pump used by the operator the price per gallon of gasoline or motor fuel dispensed by the pump. (Gen. Code 1946, Ch. 2, 706.1; Code 1972, 7.157)

Sec. 19-7. Health and safety regulations.

The following health and safety regulations shall apply to all gasoline stations:

- (1) Storage tanks aboveground. No person shall erect or install any storage tank for gasoline, fuel oil or other inflammable liquids, above the ground level in the city unless the storage tanks for the storage of gasoline, fuel oil or other inflammable liquids are located in the industrial districts as established by the zoning ordinance, and are in conformance with regulations established by the state fire marshal.
- (2) Use of hoses only. No fuel tank shall be filled at a retail gasoline station except through a hose connected to a pump of a type approved by Underwriters' Laboratories, Incorporated.
- (3) Keeping or conveyance in receptacles. No gasoline or inflammable liquid shall be kept or conveyed in open receptacles or glass bottles or other breakable containers on the premises of a gasoline station, except in glass bottles of not more than eight (8) ounces capacity used for sample purposes, and shall not be used for cleaning purposes on such premises.
- (4) Storage of combustible waste. All combustible waste and rubbish, including crankcase drainings, on the premises of any gasoline station, shall be kept in metal receptacles fitted with tight covers until removed from the premises.
- (5) Accumulation of oil and grease. Oil and grease shall not be allowed to accumulate on the floor of a gasoline station. Sawdust shall not be kept in gasoline station or place of storage, and sawdust or other combustible material shall not be used to absorb oil, grease or gasoline.
- (6) Premises to be kept clean. The premises of each gasoline station shall be kept clean, and no empty oil drums, empty oil cans, discarded auto parts and rubbish of all kinds shall be stored on the premises except those drums or parts necessary for use in servicing motor vehicles.
- (7) Fire extinguishers. Each gasoline station shall be equipped with at least one fire

extinguisher suitable for extinguishing oil or gasoline fires and of a type approved by the fire chief, which extinguishers shall be kept in good operating condition at all times and shall be located in an accessible place.

- (8) Guarding of grease pits. Each grease pit located outside a building shall be guarded by a cover or safety rails or chains properly installed so as to prevent persons falling into such pit.
- (9) Public toilets. All public toilet rooms on the premises of any gasoline station shall be kept clean and in a sanitary condition and shall at all times be provided with paper towels and toilet paper, and equipped with signs indicating their use by men or women. (Gen. Code 1946, Ch. 2, 707.12; Code 1972, 7.158)

Sec. 19-8. Discontinuance of business.

If business is discontinued at any gasoline station for a period of three (3) months, or by removal of gasoline pumps, except for immediate replacement, such premises shall lose the status of a gasoline station and the owner may be required to forthwith remove the driveways from city property and construct a curb and gutter to correspond to the adjacent curb and gutter. The owner of any station property having so lost its status as a gasoline station who desires to again use the premises for a gasoline station must make application and comply with all provisions of this chapter. (Gen. Code 1946, Ch. 2, 707.9; Code 1972, 7.158)