

## ORDINANCE NO. 185

**AN ORDINANCE REGULATING THE CONSTRUCTION AND USE OF BUILDINGS TO BE USED AS AUTOMOBILE SUPPLY STATIONS; REGULATING AND PROVIDING FOR THE STORAGE AND USE OF GASOLINE AND PETROLEUM PRODUCTS IN CONNECTION THEREWITH; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.**

The Board of Trustees of the Town of San Anselmo do ordain as follows:

Section 1. The following terms shall have the following meaning whenever used in this Ordinance:

(a) An "Automobile Supply Station" is any building or place wholly devoted to the purpose of selling or furnishing gasoline, lubricating oils, and petroleum products.

(b) "Gasoline" shall mean any product of petroleum or any hydro-carbon liquid that will flash or emit an inflammable vapor below the temperature of one hundred and ten (110) degrees Fahrenheit. The Fire Marshal shall decide the flashing point.

(c) "Fire Marshal" shall mean the Fire Marshal of the Town of San Anselmo.

(d) "Approved" means approved by said Fire Marshal.

Section 2. It shall be unlawful for any person, firm or corporation hereafter to establish, conduct, operate or maintain within the Town of San Anselmo an automobile supply station where more than one (1) quart of gasoline is stored or kept without first obtaining a permit therefor from the Board of Trustees. All applications for such permits shall be made to the Board of Trustees specifying the name of the applicant, the location of the premises to be used as an automobile supply station, together with the amount of gasoline or other petroleum products desired to be stored thereat.

The Board of Trustees shall refuse the permit if in its judgment an automobile supply station at the proposed location would be particularly hazardous to the public safety, or if the proposed location is within two hundred (200) feet of any school, church, theatre or hospital, said measurement to be taken from the front entrance of the automobile supply station to the front entrance of said school, church, theatre or hospital.

Section 3. No building used as an automobile supply station, as defined in Section 1 of this Ordinance, shall exceed the following dimensions:

It shall not be more than one (1) story in height, not more than twenty-five (25) feet wide and twenty-five (25) feet long and not more than seventeen (17) feet high from the ground level.

The flooring of all automobile supply stations shall be of concrete or earth and the roofing thereof shall be of fireproof material and no basement shall be allowed therein.

No automobile supply station shall be devoted to any other purpose than that of selling or furnishing gasoline, lubricating oils, and petroleum products.

Section 4. There shall be at all times maintained in, at, or near the entrance to every automobile supply station at a place or places designated by the Fire Marshal for the extinguishment of fires, not less than two (2) three-gallon chemical fire extinguishers or other fire extinguishers which have been approved by the Fire Marshal, one (1) barrel and two (2) iron buckets full at all times of clean dry sand, said barrel to contain at all times an iron scoop so that the sand may be readily thrown on gasoline or oil fires. Sand must also be used for absorbing waste oils that may fall upon the floor; such sand when saturated shall be removed from the premises. No sawdust shall be used for absorbing gasoline or oils on the floor of any automobile supply station.

Section 5. Except as hereinafter provided in this Ordinance, all gasoline or petroleum products shall be stored in underground tanks, not to exceed the following capacity and amounts: No gasoline or any other petroleum product or hydro-carbon liquid that will flash or emit an inflammable vapor below the temperature of one hundred and ten (110) degrees Fahrenheit shall be allowed inside the building of any automobile supply station; provided, however, that gasoline may be kept above ground in approved portable filling wheel tanks. No one approved portable filling wheel tank shall have a capacity of more than fifty (50) gallons. Not more than two (2) approved filling wheel tanks shall be allowed for any one automobile supply station. All said approved portable filling wheel tanks shall be mounted on all metal wheels with rubber tires, each to be equipped with an approved pump, fitted with hose attachment not to exceed eight (8) feet in length, fitted with a

ground shut off nozzle. All portable filling wheel tanks when not in use shall be kept near the entrance of the automobile supply station so that in case of fire they can be readily removed from the building. No one (1) storage tank shall have a capacity greater than five hundred (500) gallons. Not more than four (4) tanks of five hundred (500) gallons capacity each, of an aggregate total amount of two thousand (2000) gallons of gasoline shall be stored in connection with any one automobile supply station.

Section 6. All storage tanks must conform to the following specifications:

All storage tanks shall be constructed of not less than No. 12 U. S. Standard Gauge, galvanized steel, oxy-acetylene or electric welded, or riveted steel to steel joints, with rivets not more than one inch apart from centers; soldered and coated with tar or other rust-resisting material. Storage tanks may also be constructed of iron, not less than three-sixteenths of an inch in thickness, riveted and caulked-coated with tar or other rust-resisting material.

There shall be no openings or connections on any storage tank except on the top thereof; no tank shall be connected either directly or indirectly with any drain, catch basin, public or private sewer.

The openings on the top of a storage tank shall consist of one filling pipe, one suction pipe, and one vent pipe.

All storage tanks must be approved by the Fire Marshal.

Section 7. All gasoline storage tanks shall be installed in the following manner:

A. All storage tanks must be placed outside of the building, under sidewalk, in a spot agreed upon between the applicant and the Fire Marshal, as near the curb as possible. The top of said storage tank or tanks shall be at least four (4) feet below the ground level. The space between the top of the tank or tanks shall be filled with earth.

B. Where two (2) or more tanks are installed, there shall be a brick or concrete dividing wall between each tank, not less than twelve (12) inches in thickness, or three (3) feet of earth.

C. No storage tank shall in any manner be connected to another storage tank; each tank must have separate filling pipe, suction pipe and vent pipe. All pipes must be galvanized, and shall come out of the top of the tank or tanks, and put together with litharge and glycerine.

D. All storage tanks shall be provided with one (1) inch diameter vent pipe. Said vent pipe must extend up at least twelve (12) feet above the ground level, upon the outside of the building, attached to the wall with pipe hooks, and shall be capped at the top with a return bend, the opening of which shall be covered with a brass or copper wire mesh of not less than 100 mesh.

E. All storage tanks shall be filled on a tank wagon between the hours of sunrise and sunset.

In no case shall any storage tank or tanks be filled from drums or barrels. No drum or barrel, when empty or otherwise, shall be placed in, upon or about any automobile supply station.

F. No storage tank shall be covered with earth until inspection has been made or permission has been granted to do so by the Fire Marshal. The applicant shall notify the Fire Marshal when the tank or tanks are ready for inspection.

G. All filling pipes shall extend up to the sidewalk, capped with a water-tight screw cap, securely locked.

Section 8. All storage tanks shall be connected with an automatic "closing valve pump," which may be located in or outside of the automobile supply station.

All gasoline must be pumped from the storage tank or tanks. No gravity, syphon or pressure shall ever be used for taking gasoline from the storage tank or tanks.

Storage tanks may be connected with one pump, provided the suction pipes siamese at the pump with valves to close on all suction pipes.

Gasoline shall not be carried in open cans or used to fill automobile reservoirs or containers. If cans are required they must be of an approved

design.

Section 9. The owner, lessee, manager or superintendent of an automobile supply station, and the person, firm or corporation to whom any permit shall be issued, as herein provided, shall be responsible for any violations of the following regulations:

A. No automobile shall be allowed to be stored or remain upon the premises of an automobile supply station, except while filling.

B. No automobile shall be allowed to be repaired or cleaned upon the premises of an automobile supply station.

C. No gasoline shall be allowed to remain above ground, except in approved portable filling wheel tanks, as is provided for in Section 5 of this Ordinance.

D. Smoking shall not be allowed inside of an automobile supply station, or near an automobile which is being filled with gasoline. A notice "No Smoking," in letters of not less than three (3) inches shall be displayed in a conspicuous place and manner.

E. All waste, rags and rubbish of any kind shall be kept at all times in metal receptacles, fitted with a tight cover and shall be removed every day.

F. No gasoline shall be put in or taken out of the reservoir of an automobile where there is an open light. All lamps on automobiles must be extinguished before filling automobile reservoirs with gasoline.

G. No open light shall be allowed in any automobile supply station. Electricity only shall be used for illuminating purposes in any automobile supply station.

H. No stove, lamp, torch or other furnace, flame or fire shall be allowed in, upon or about an automobile supply station.

I. The floor and premises of an automobile supply station must be kept clean and free from oil or rubbish.

J. All machinery of an automobile must be shut off and the automobile dead, while gasoline is being poured into the reservoir or container of the automobile.

Section 10. It shall be the duty of the Fire Marshal to see that the provisions of this Ordinance are complied with, and for that purpose shall have access to any premises, buildings or premises used as an automobile supply station.

In the event that any person, firm or corporation to whom a permit has been granted, as herein provided, shall violate or

of this ordinance, or shall conduct, operate, maintain, or carry on the business in any automobile supply station in an unsafe or dangerous manner, it shall be the duty of the Fire Marshal to notify said person, firm or corporation in writing to appear before the Board of Trustees within five days after the service of said notice, and then and there to show cause why said permit shall not be revoked.

If said person, firm or corporation shall fail to so appear before said Board of Trustees, said permit shall thereupon be revoked by said Board; or if said person, firm or corporation shall so appear before said Board and shall fail to justify the manner in which said business is being conducted and shall fail thereafter to conduct said business in a manner approved by said Board and in accordance with the provisions of this Ordinance, said permit shall thereafter and upon three days notice to said person, firm or corporation be revoked by said Board.

Section 11. Any person, firm or corporation violating any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty (\$50.) dollars nor more than two hundred (\$200.) dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment, and such person, firm or corporation shall be deemed guilty of a separate offense for each and every day that such violation shall be continued and shall be subject to the penalty herein imposed for each and every such separate offense.

Section 12. This Ordinance shall be published once in the San Anselmo Herald a newspaper of general circulation printed and published in said Town.

AND WHEREAS there are now in said Town several automobile supply stations and other automobile supply stations are about to be installed or erected therein, and the use and storage of gasoline and petroleum products in said automobile supply stations is and will be of great danger to the said Town, and should be for the protection of said Town controlled and regulated, it is hereby declared by the Board of Trustees of said Town that said facts constitute an urgency and said Ordinance is hereby passed for the immediate preservation of the peace, health and safety of the inhabitants thereof and shall go into effect immediately upon its passage and approval.

I hereby approve the foregoing Ordinance this 18th day of May, 1925.

I further certify that after said Ordinance was duly passed and adopted by said Board of Trustees the same was approved and signed on the 18th day of May, 1925, by Joseph E. Clark, the President of said Board of Trustees of the said Town of San Anselmo.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the said Town of San Anselmo this 18th day of May 1925.

*Joseph E. Clark*

Clerk of the Town of San Anselmo.

(SEAL)

President of the Board of Trustees of the Town of San Anselmo.

(SEAL)  
ATTEST:

*Joseph E. Clark*

Clerk of the Town of San Anselmo.

I hereby certify that the foregoing Ordinance No. 185 was introduced at a regular meeting of the Board of Trustees of said Town of San Anselmo held on Monday, the 4th day of May, 1925, and that at a regular meeting of said Board of Trustees held on Monday, the 18th day of May, 1925, it was passed and adopted by the following vote:

AYES: Trustees, Peyton, Carl Pinkham, Doysher and Clark.  
NOES: None.  
ABSENT: None.