

## ORDINANCE 60

### AN ORDINANCE LICENSING AND REGULATING FILING STATIONS

The Village Council of the Village of Bird Island do ordain as follows:

Section 1. Filling Station Defined. The words “filling station” as used in this ordinance shall be held to mean and are hereby defined as meaning any building, structure or premises, enclosure or other place within the village where a container or containers, tank or tanks, either portable or stationary, and containing either carbon bisulphide, gasoline, naphtha, benzole, hydrocarbon (gas drips), liquefied petroleum gas, acetone, kerosene, turpentine, or other inflammable liquids, having a flash point below 165 degrees Fahrenheit, are kept or located for the purpose of selling, offering for sale, or distributing any such liquids from such containers, tank or tanks; provided, however, that the provisions of this ordinance shall not apply to any place where such inflammable liquids are kept or sold for medicinal purposes only.

Section 2. License Required. No person, firm or corporation shall manage, conduct, operate or carry on the business of a filling station without first having obtained a license therefore from the council, as hereinafter provided.

Section 3. Application. The application for such license for the business of managing, conducting or carrying on a filling station shall conform to the general provisions of the ordinances of the village relating to application for license, and shall specify the location of the building, structure, premises, enclosure or other place in which it is proposed to keep such filling station, and the capacity or capacities in gallons of the container or containers, tank or tanks. Every such application shall be made to the clerk and shall be approved by the fire marshall before a license is issued.

Section 4. License fee. The fee charged for the license shall be One Dollar (\$1.00) per pump per year. The required fee shall be paid to the clerk with the application for such license. A similar fee shall be charged for the storage of such liquids as described in Section 1 for selling and dispensing the same by any other method than by pumps.

Section 5. License Period. All licenses issued under the provisions of this ordinance shall expire on the 31<sup>st</sup> day of December, following the date of issue.

Section 6. General Regulations—Inspection. Each filling station shall be conducted and maintained in accordance with the provisions of the ordinances of the village. Each filling station shall be inspected at least twice in every year by the fire chief or some person duly authorized by him to make such inspection. It shall be the duty of the person making such inspection to see that the premises are maintained in compliance with this and other ordinances of the municipality, to see that there is no dangerous accumulation of waste or other combustible material on the premises, and to report to the mayor or council any violation of ordinances which may be discovered during such inspections.

Section 7. Curb Stations Prohibited. Removal. No filling station as defined by this ordinance shall be licensed hereunder or permitted to operate within the boundaries of any street, sidewalk or public ground for the purpose of supplying any motor fuel to vehicles or for any other purpose; and every licensed station shall be so arranged that when receiving any such service as aforesaid no portion of any vehicle shall remain outside of the property upon which the said filling station is situated.

Section 8. Transfer of License. No license granted under the provisions of this ordinance shall be assigned or transferred to any other person, firm or corporation, nor shall any such license authorize the carrying on of the business hereunder on any other premises than those designated in the application for such license.

Section 9. Location Near other filling stations, schools, or other places of Public Assembly. No filling station shall be located within 300 feet of other filling station or within 200 feet of any church, theatre, school or other place of public assembly.

Section 10. Penalty. Any person, firm or corporation violating any of the provisions of this ordinance shall upon conviction thereof be fined not less than One Dollar (\$1.00) nor more than One Hundred Dollars (\$100.00) or imprisonment for not to exceed ninety (90) days for each offense; and every day that such violation shall occur shall constitute a separate and distinct offense.

Passed by the Village Council this 25<sup>th</sup> day of February, 1941.

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C.H. Doyle, President of Village Council

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Gustave Steffen, Village Recorder

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