

Chapter 64 - Gasoline Stations

7.91. Definitions.

In the interpretation of this Chapter the following definitions shall apply:

- (1) "Gasoline station" shall mean any premises where flammable liquids in quantities in excess of five hundred (500) gallons are stored. Flammable liquids shall have the meaning set forth in the flammable liquids regulations of the State Fire Marshal as adopted in Chapter 93 of this Code.
- (2) "Place of Assembly" shall mean any public library, public or private school, playground, park, church, hospital, children's or old people's home, auditorium or other place designed or intended for the assembly of one hundred (100) people or more.

7.92. Application for Building Permit.

Every application for a building permit for the alteration of construction of any gasoline station shall be accompanied by a drawing in duplicate to a scale of not less than 1/8 inch to a foot, showing the location of the gasoline station and any driveways, pumps, air hoses or other improvements or appurtenances contemplated. Such application shall show in detail the type of materials to be used in the construction contemplated. The application shall also be accompanied by duplicate copies of a map clearly showing the distance from any point on the premises at which flammable liquids are to be stored or used, to any place of public assembly located within one thousand (1,000) feet of any portion of said premises and shall show the nature of any other land uses within such area. The application for the building permit shall be filed with the Building Inspector who shall furnish one copy thereof together with the required maps and drawings to the Fire Chief. The Fire Chief and the Building Inspector shall investigate such application and shall, within ten (10) days after filing such application, report their findings and recommendations thereon to the City Council, which report and recommendation shall be filed with the City Clerk for presentation to the City Council at its next regularly scheduled meeting. Provided only that applications for "Private Gasoline Filling Station" and the findings and recommendations of the Fire Chief and the Building Inspector in the pursuance thereof, shall be filed with the City Manager, and he shall grant the application only when he shall find that the erection or alteration of said gasoline filling station will not by reason of traffic conditions or fire explosion hazards impair the public safety.

(Rev. 07-23-1979)

7.93. City Council Findings.

When any such application for erection or alteration of a gasoline station shall be presented to the City Council it shall investigate the same, consider the reports and recommendations by the Building Inspector and Fire Chief and such other evidence as it deems necessary in the premises and shall grant the application when it shall find that the erection or alteration of such gasoline station will not, by reason of traffic conditions or fire or explosion hazards, imperil the public safety.

(Rev. 07-23-1979)

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7.94. Neighbor's Consent.

The City Council shall not be obliged to grant any application for a permit to construct or alter any gasoline station unless there shall be filed with it prior to the granting of such permit the written consent of sixty (60%) percent or more of the property owners owning property, all or any part of which is within a radius of four hundred (400) feet of any part of the premises where the construction or alteration of the gasoline station is proposed, provided, that the filing of such written consents shall be unnecessary in any case where less than eighty (80%) percent of the buildings, all or any part of which are located within a radius of four hundred (400) feet of any part of the site of the proposed gasoline station, are used for residential purposes.

(Rev. 07-23-1979)

7.95. Licenses Required.

(Repealed 12-02-02)