

ORDINANCE NO. 829

AN ORDINANCE REGULATING THE DELIVERY OF PETROLEUM FUELS FOR RETAIL SALE WITHIN THE CITY LIMITS OF THE CITY OF PRINEVILLE AND REPEALING ORDINANCE NO. 730.

The People of the City of Prineville do ordain as follows:

Section 1. Definitions.

1. "Fuel" means petroleum fuel with a flash point of less than 100⁰ fahrenheit and does not include liquid propane gas.

2. "Public way" means all streets, alleys, sidewalks or other thoroughfares, ways or places used or intended for use by the general public.

3. "Vehicle" means a truck, a truck and trailer, or any other combination of trucks and trailers.

Section 2. All vehicles unloading fuel for retail sale within the City limits of the City of Prineville shall comply with the following requirements:

1. All delivery vehicles and operators shall comply with all applicable federal, state and local laws, rules and regulations.

2. The tanks on all delivery vehicles shall be divided into at least two separate compartments.

3. Deliveries shall be permitted only at places designated by the City Fire Marshall which shall be places:

a) Where the delivery vehicle is able to enter and leave the premises without backing into public ways and

b) Which will permit the delivery without encountering other significant hazards.

4. During delivery, the delivery vehicle shall be parked so that it can be driven forward from the danger area in case of an emergency.

5. No portion of the delivery vehicle shall be standing on any public way.

6. The operator of the delivery vehicle shall remain at the control valve at all times while fuel is being discharged.

7. The operator of the vehicle shall have with him, free and ready for use, a dry-chemical type fire extinguisher having at a minimum a twenty (20) pound capacity and a 10-A: 80-B:C classification.

8. All fuel deliveries will utilize the gravity-drop method of delivery and delivery vehicle engines shall not be running.

9. Only one discharge hose shall be used at a time from a delivery vehicle.

10. All delivery vehicles shall use nozzels of the self-sealing type connected to a like type fuel receptacle.

11. All in-ground fuel storage tanks shall have, installed and used, drop-tubes extending to the bottom of the in-ground tank in order to minimize fume formation.

12. Barricades of a minimum of thirty (30) inches high shall be used to keep vehicles and unauthorized persons away from the area of the delivery vehicle and hoses during delivery operations. These barricades shall be painted or striped with a day- or night-reflective paint and shall have "NO SMOKING" markings on them.

Section 3. Delivery vehicles having a capacity in excess of 5000 gallons may not unload fuel within the City of Prineville unless they meet all of the following requirements:

1. Deliveries shall be permitted at places designated by the City Fire Marshall after he has inspected each station requesting larger delivery vehicles to insure that the facility may safely accept those vehicles. A special permit may be issued based on traffic conditions, size and location of storage facilities,

types of tank fill devices, slope of the ground, surrounding exposures in case of an emergencies and other significant hazards that might be encountered. The permit may contain special instructions as necessary for the delivery.

2. Vehicles and station location and design shall meet all the requirements as set forth in Section 2. of this ordinance.

3. All deliveries shall be made between the hours of 12:00 Midnight and 12:00 Noon.

4. Where fill facilities are located in close proximity to service islands and constitute a potential hazard, the station shall be closed during delivery operations.


Section 4. The owner/lessee of any property where fuel is being transferred and/or the owner/operator of any such transfer truck shall be liable for any and all costs incurred by the City in the event of any fuel spilled during the transfer process, including but not limited to costs of clean up, water purification and damage to the City sewer system, special equipment and chemicals needed to make the spill safe or extinguish any fire that may occur from said spill.

The tanker operator shall immediately notify the Prineville Fire Department upon discovery of any petroleum fuel spill.

Section 5. Any person who violates any of the provisions of this ordinance shall be punished by a fine of not less that \$100.00 nor more than \$500.00 or imprisonment for not more than 100 days or both.

Section 6. Upon the effective date hereof, but not otherwise, Ordinance No. 730 of the City of Prineville, passed June 11, 1974, and approved June 12, 1974, is hereby repealed.

Section 7. This ordinance shall be in full force and effect on the 30th day after the date of its final passage by the Council and approval by the mayor of the City of Prineville.

Passed and enacted by the Council of the City of Prineville on the ~~26th~~ 11TH day of ~~February~~, 1980, by the following vote: 

MARCH



First reading: February 12, 1980

Second reading and passed: March 11, 1980

AYES 6

NAYES 0


NELLO GIOVANINI, Mayor

ATTEST:


ARNOLD R. EVANS
City Administrator/Recorder