

ORDINANCE NO. 35

REGULATING THE CONSTRUCTION, INSTALLATION MAINTENANCE AND OPERATION OF PUMPS DRAWING OFF AND MEASURING DEVICES, TANKS AND CONTAINERS FOR THE STORAGE, HANDLING, SALE AND DISPENSING OF GASOLINE AND ANY OTHER VOLATILE OR INFLAMMABLE LIQUID IN THE BOROUGH OF SOUTHMONT, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

Section 1. Be it enacted and ordained by the Burgess and Town Council of the Borough of Southmont, Cambria County, Pa., and it is hereby enacted and ordained by the authority of the same that from and after the passage of this ordinance, no person, firm, association or corporation shall be permitted to erect, install or operate any pump, drawing-off or measuring device or any tank or container used for the storage, handling, sale or dispensing of gasoline or any other inflammable liquid, unless the following regulations are complied with:

A.--Application shall be made in writing to the Borough Council, setting forth the size, location and descriptive character of the pump, drawing-off or measuring device, tank or container to be installed, erected or operated, and the manner of installation. Said application shall be subject to approval or disapproval by the Borough Council as to location and number to be installed, and must be accompanied by a certificate of approval from the Bureau of Fire Protection Pennsylvania State Police, as to compliance with safety regulations of said department, as required.

B.--All gasoline tanks shall be built, constructed, located and equipped as follows:

a.--No tanks or Pumps shall be erected on Borough Property or on private property nearer than 20 feet from the property line on cross streets and 40 feet from the property line on front streets.

b.--No single tank to be over 1000 gallons capacity.

c.--All gas tanks must be placed at least 2 feet apart.

d.--All gasoline tanks must be buried at least three feet below the surface of the ground and placed on six inch concrete base, which base shall be as long as the tank.

e.--If gasoline tank is placed within fifteen feet of cellar, basement, pit or vault of any kind, and eight inch concrete wall must be built around and extend six inches above the tank.

f.--Steel gasoline tanks must be riveted, welded or brazed.

g.--Filling pipe must be outside of building and at least five feet from any doorway or opening into building.

h.--Vent pipes must be at least one inch in diameter and must not terminate within three feet of any door, window or opening to building, and be at least nine feet above surface and supported by suitable post or building.

i.--A self closing valve must be placed at discharge point of tank.

j.--All electric wiring must pass through approved conduits.

k.--No curb pumps, water or air pipes shall be placed on, over or under sidewalks or closer to property line than herein specified for pumps and tanks.

l.--No gasoline tanks or drawing-off devices shall be placed in any frame buildings.

m.--Means of fire extinguishment must be available on the premises where inflammable substances are handled.

C.--Provided that nothing in this section shall be construed to include gasoline or kerosene not exceeding five (5) gallons when stored or handled in an approved safety container. Nor shall it be construed to exclude a manufacturer

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from bringing into his factory in air-tight receptacles sufficient material for his daily operative needs when such practice shall not present an unwarranted hazard.

Provided further that this section shall not apply to inside kerosene tanks or equipment not exceeding one hundred and twenty (120) gallons capacity, where such tank is permissible inside building

Section 2. That all pumps, drawing-off or measuring devices, tanks and containers installed, or to be installed, shall be subject to inspection by the superintendent of Public Safety or the chief of the Fire Department or others duly authorized agents or representatives of the Borough Council, and if found to present a hazard, they shall have the power to have same corrected to conform with good practice. If the condition complained of is not remedied within a reasonable time after notice, the same is hereby declared a public nuisance and may be abated by them in the manner provided by law for the abatement of nuisances.

Section 3. That any person, firm, association or corporation violating any of the provisions of this ordinance shall, upon conviction before the Burgess or Justice of the Peace of the Borough of Southmont be sentenced to pay a fine of not less than Five (\$5.00) Dollars or more than One Hundred (\$100.00) Dollars and costs of prosecution, and in default of payment thereof, shall be imprisoned in the Borough or County Jail for a period not exceeding ninety (90) days. One prosecution for any violation of this ordinance shall not be a bar to subsequent prosecutions for the same violation.

Section 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be and the same hereby are repealed.

Passed finally in Council this 14th day of July A.D. 1924.

Norman Lewis  
President of Council

Attest  
Roy G. Wertz  
Secretary

C.A. Matthews  
Burgess

This ordinance was advertised in the Johnstown Tribune July 18, 1924 and posted in 12 public places in the Borough July 23, 1924.

Roy G. Wertz  
Sec.