

CHAPTER 381

RELATING TO THE STORAGE OF FLAMMABLE LIQUIDS WITHIN THE CITY OF RICHLAND CENTER

[History: Ord 285]

381.01 When used in this chapter, the words "Flammable Liquids" shall include all volatile flammable liquids with flash points at or below 100 degrees F., under the requirements of the Standard Method of testing for Flash Point Flammable Volatile Liquid, serial designation D-5621 of the American Society for Testing materials, approved April 4th, 1923 as tentative American Standard by the American Standards Committee, with the subsequent amendments and additions thereto adopted.

381.02 All storage of flammable liquids, temporary or otherwise, within the corporate limits of the City of Richland Center, in excess of 3500 gallons in any one or more tanks in any one area, which storage does not comply with the requirements of this chapter is hereby declared to be offensive and to constitute a fire hazard and public nuisance, dangerous to public safety and general welfare of the inhabitants of the City of Richland Center and is hereby prohibited after July 1st, 1935.

381.03 No person or corporation shall manage, conduct, operate or carry on the business of storing flammable liquids, either temporary or otherwise, within the corporate limits of the City of Richland Center in excess of the limits prescribed in section 381.02 hereof without first having obtained a permit therefore as hereinafter provided.

381.04 Applications for such permits for carrying on the business of storing flammable liquids as herein provided shall be in writing and shall comply with the general ordinances respecting applications for permits, and shall further specify: the location of the tank or tanks in which it is proposed to keep such flammable liquids; the capacity or capacities of the tank or tanks in gallons; the name or names of the owner or owners of the tank or tanks; if the applicant is a partnership, the names and addresses of all partners and an indication as to whether they are limited or general partners; if the applicant is a corporation, the names and addresses of all corporate officers. Every such application shall be made to the City Clerk and shall be approved by the Common Council before a permit is issued.

381.05 The Common Council may, in its discretion, issue a permit to such applicant to carry on such storage business and the person receiving such permit may establish such business and operate the same, but such permit may be revoked or canceled for cause at any time upon thirty (30) days written notice being given to the holder thereof by the Common Council. Any person aggrieved by such an act of the Common Council may, within 10 days after such notification, apply for and be granted a hearing before such Common Council on the issue of the propriety of such revocation or cancellation.

381.06 No person, firm or corporation shall locate, build or maintain any tank or tanks for the storage of flammable liquids in excess of the amounts provided in section 381.02 unless the said tank or tanks or other container or containers are at least 100 feet distant from the nearest dwelling house and in all other respects comply with the Flammable Liquids Code of The State of Wisconsin effective October 18, 1931, and all subsequent amendments and additions thereto. The provisions of this section shall not require the removal of any bulk storage tanks actually installed and being used for storage of flammable

liquids on July 1, 1935, nor be construed to prohibit the ordinary use of the same.

381.07 No permit granted under the provisions of this chapter shall be assigned or transferred to any other person, firm or corporation nor shall such permit authorize any person, firm or corporation, other than the holder of said permit named therein, to do business or act under such permit, nor shall such permit authorize the operation or maintenance of such business at any location other than the location specified therein.

381.08 This chapter shall not be applicable to ~~gasoline storage in railroad tank cars in transit through the City or when standing on the tracks of any railroad within the City awaiting delivery to the consignee thereof or awaiting unloading, nor shall the same be applicable to~~ gasoline storage in any other tank vehicle standing in or passing through or about the City for the purpose of making proper deliveries of gasoline.

381.09 Any person, firm or corporation violating any of the terms of this chapter shall forfeit not less than \$100.00 nor more than \$500.00 together with the costs of prosecution and in the event that such forfeiture and costs are not paid may be imprisoned in the Richland County Jail until paid, but not to exceed 90 days. Each day that any violation of this chapter shall occur or continue shall constitute a separate and distinct offense.

381.10 The provisions of this chapter are declared to be severable. If any section or part of any section shall be held to be invalid it is hereby declared that the remaining provisions of the chapter shall not be affected thereby.