

AN ORDINANCE REGULATING THE DISPENSING
OF MOTOR FUEL TO THE PUBLIC AND REQUIRING
ATTENDANTS AND FIRE EXTINGUISHERS FOR
MOTOR FUEL DISPENSING DEVICES

WHEREAS, it is recognized that motor fuels such as gasoline and diesel fuel are highly combustible liquids of an unstable nature when exposed to heat;

AND WHEREAS, the Board of Commissioners of Surry County does determine that the distribution of motor fuel to the public through the use of unattended dispensing devices constitutes a hazard to the public health, safety, and welfare in that such highly flammable and explosive liquids are extremely dangerous when improperly handled or dispensed;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Surry County:

SECTION 1. DEFINITIONS.

A. "Gasoline" shall mean refined petroleum naphtha which by its composition is suitable for use as a carburetant in internal combustion engines.

B. "Motor Fuel" shall mean all products commonly or commercially known or sold as gasoline, regardless of their classification or uses, and any liquid prepared, advertised, offered for sale or sold for use as or commonly and commercially used as a fuel in internal combustion engines. In addition, such term shall mean any volatile and inflammable liquid sold or used, or offered for sale or use to propel a motor vehicle.

C. "Person" shall mean any individual, firm, partnership, association, institution, corporation, club, business, proprietorship, or other establishment, public or private.


SECTION 2. ATTENDANT. All motor fuel dispensing devices for use by or on behalf of the public, including but not limited to those which are preset, remote preset, coin-operated, card-operated, or money-operated, shall have at least one attendant on duty on the premises whereon said devices are located at all times such devices are open to or available for use by or on behalf of the public. It shall be the duty of such attendant to supervise, observe, and control the dispensing of motor fuel by such device or devices; provided, however, that nothing herein shall be construed as prohibiting a customer or user from operating the device and serving himself so long as said attendant is on duty on the premises to insure that said motor fuel is dispensed to eliminate to the extent possible the risk of bodily injury and property damage which could result from the improper handling or use of the dispensing device.

SECTION 3. FIRE EXTINGUISHER. There shall be present and available for use on the premises whereon is located any motor fuel dispensing device as referred to in Section 2 herein above at least one fire extinguisher, in good working condition, suitable for and effective against fires of flammable liquids, gases and greases, which extinguisher shall be capable of extinguishing a 25-square-foot area of flammable liquid fire, and shall be located within 100 feet of the motor fuel dispensing device or devices.

SECTION 4. VIOLATIONS. Any person, firm, or corporation violating the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars (\$50.00), or imprisoned for not more than thirty (30) days. Each day of violation shall constitute a separate offense.

SECTION 5. SEVERABILITY. If any section, clause, provision, or portion of this ordinance is held to be invalid by any court of competent jurisdiction, such decision shall not affect or impair any other section, clause, provision, or portion of this ordinance.

SECTION 6. EFFECTIVE DATE AND AREA. This ordinance shall be in full force and effect from the date of its adoption and shall apply throughout the county except within the corporate limits of the municipalities within the county.


Chairman

Attest:

Clerk to the Board

4-4-72 Adopted