

Recommended

by

THE MOUNTAIN STATES INSPECTION BUREAU

Denver, Colo.

AN ORDINANCE TO REGULATE THE USE, HANDLING,  
STORAGE AND SALE OF INFLAMMABLE LIQUIDS,  
AND THE PRODUCTS THEREOF WITHIN THE CITY OF

*Fleming, Colorado*

Be it ordained by the Commissioners of the city  
of *Fleming* as follows :

Section 1. This ordinance shall apply to all new plants, stores, equipments and installations and, except as otherwise specified, to existing plants, stores, equipments, installations, and other conditions which constitute a distinct hazard to adjoining property, in so far as the intent of the section can be fulfilled reasonably. All persons and businesses not specifically named in this ordinance, storing, handling or using inflammable liquids shall be governed by this ordinance where it is applicable to that storing, handling or using.

Section 2. It shall be unlawful for any person, firm or corporation either as principal or agent to keep or have in excess of 5 gallons of gasoline, naphtha or other inflammable liquids on any premises within the corporate limits of *Fleming* without first obtaining a permit from the *Town Clerk* except as hereinafter provided. The fee for permit to install any tank, pump or apparatus for the storage or handling of gasoline or other inflammable liquids shall be Five (5.00) Dollars for each permit.

Section 3. All applications for permits to sell or store inflammable liquids must be made in writing to the *Town Clerk* on special printed forms and accompanied with the required fee as provided in Section 2. The *Fire Marshal* shall forthwith make an inspection of the premises proposed to be used for such sale or storage, and the means of distribution, and if the conditions, surroundings and arrangements are such that the intent of this ordinance can be observed, then he shall issue a permit for the installation of the system or equipment, subject to his final inspection.

Section 4. Before any installation is covered from sight, a notification in writing shall be given the *Fire Marshal* who shall inspect the installation within 48 hours after the receipt of such notification and give his written approval or disapproval. Upon failure of the *Fire Marshal* to inspect within the specified time, the installation may be covered but shall be subject to inspection by the *Fire Marshal* at the expense of the city.

Section 5. It shall be unlawful for any person, firm or corporation either as principal or agent to have or keep more than five gallons of gasoline, naphtha or other inflammable liquids on his premises at any one time unless the same is contained in an approved underground storage tank constructed, installed and maintained in accordance with the following rules and requirements. All such tanks and pumps used in connection therewith shall be constructed under the supervision of the Underwriters' Laboratories, or other authorized concern, and each tank and pump shall bear their label of approval showing that the device has been tested and approved.



Section 6. The drawing of gasoline or other inflammable liquids from tank cars shall not be permitted at any location where such tank cars are within fifty (50) feet of any building except buildings of like occupancy or where in the judgment of the ~~Fire Marshal~~ <sup>Fire Marshal</sup> such operations would be unsafe to life or property. The piping, pumps or other equipment used for the emptying of such tank cars must be of sufficient size and so arranged as to permit the emptying or withdrawing of the gasoline or other inflammable liquids within a period of twelve hours. The person or firm to whom such tank cars are consigned will be required to complete the emptying of the same within a period of twenty-four (24) hours from the time the tank car is placed in position for unloading.

Section 7. This ordinance shall not be construed as applying to gasoline contained in the reservoir of motor vehicles and not to exceed one (1) gallon in approved measuring pumps used for filling purposes or to portable wheeled tanks for use in garages when not exceeding sixty gallons capacity, and when constructed and used in accordance with requirements of Section 16 of this Ordinance.

Section 8. By special permission granted by the City Council and ~~Fire Marshal~~ <sup>Fire</sup> above ground storage tanks may be permitted in sparsely built up sections of the city if located entirely outside of the mercantile and other congested districts.

Section 9. This ordinance shall not be construed as applying to gasoline, naptha, or other inflammable liquids while contained in washers used in connection with dry cleaning establishments when located outside the fire limits of the city of ~~Fleming~~ <sup>Fleming</sup> as now established or hereafter extended, or when inside said fire limits providing the building used for dry cleaning purposes is constructed wholly of non-combustible material, not used for other occupancy and located at least 10 feet from other buildings and/or a public thoroughfare.

#### MATERIAL AND CONSTRUCTION OF TANKS.

Section 10. Tanks must be constructed of galvanized steel, basic open hearth steel or wrought iron of a ~~minimum gauge~~ depending upon the capacity as indicated by the following table:

Capacity	(Gallons)	Min. Thickness of Metal
1	to 560	14 gauge
561	to 1100	12 gauge
1101	to 4000	7 gauge
4001	to 10500	1/4 inch

Tanks constructed of #12 and 14 gauge metal must be well galvanized: tanks constructed of #7 gauge or heavier metal must be galvanized or thoroughly coated on the outside with tar asphaltum or other suitable rust resisting material.

#### LOCATION AND INSTALLATION.

Section 11. Tanks shall have tops at least three feet below the surface of the ground, and below the level of the lowest pipe in the building to be supplied. Tanks may be permitted underneath a building if buried at least three feet below the lowest floor. Tanks shall be set on a firm foundation and surrounded with soft earth or sand, well tamped into place, or encased in concrete. Tanks may have a test well, provided the test well extends to near the bottom of the tank, and the upper end shall be hermetically sealed and locked except when necessarily open. When the tank is located underneath a building the test well shall extend at least twelve feet



above the source of supply. The maximum limit of storage permitted in one tank shall be 10,500 gallons, and shall depend upon the location of tanks with respect to the building to be supplied and adjacent buildings and property as follows:

- (a) 10,500 gallons total capacity if over 30 feet from any property line which may be built upon and if lower than any floor, basement, cellar or pit in any building within thirty feet.
- (b) 4,000 gallons total capacity if over 20 feet from any property line which may be built upon and if lower than any floor, basement, cellar or pit in any building within twenty feet.
- (c) 1,100 gallons total capacity if over 10 feet from any property line which may be built upon and if lower than any floor, basement, cellar or pit in any building within ten feet.
- (d) 560 gallons if within 10 feet of any property line which may be built upon and if not lower than every floor, basement, cellar or pit in any building within ten feet, in which case it must be entirely encased in six inches of concrete.

The above provisions and requirements shall be construed as prohibiting the installation of any storage tanks in the public streets, avenues or alleys of the city of ..... except by special permission of the City Commissioners.

#### VENTING OF TANKS.

Section 12. All underground storage systems which may contain inflammable gases shall have at least a one inch vent pipe, run from top of tank to a point outside of the building and acceptable to the *Fire Marshal*....., but which shall end at least 12 feet above the level of the source of supply and in a location remote from fire escapes and not less than three feet, measuring horizontally and vertically, from any window or other opening; the tank vent pipe shall terminate in a goose-neck protected at the outer end by a 30 x 30 mesh or equivalent brass wire screen. The vent pipes from two or more tanks may be connected to one upright, provided they be connected at a point at least one foot above the level of the source of supply.

#### FILLING PIPES.

Section 13. Ends of filling pipes for all underground storage tanks shall be carried to an approved location outside of any building, but not within 5 feet of any entrance door, or cellar opening, and shall be set in an approved metal box with cover which shall be kept locked except during filling operations; this filling pipe shall be closed by a screw cap. A 30 x 30 mesh or equivalent brass screen strainer shall be placed in the supply end of the filling pipe. The piping of gasoline or other inflammable liquids in the streets or alleys of the City of *Fleming* for any distance exceeding fifty (50) feet shall not be permitted excepting in outlying districts where such piping and *etc.* be buried properly below frost line, kept clear of other piping and sewers, and where in the



judgment of the Fire Marshal such piping can be maintained properly and would in no way create a hazard to life and property.

Section 14. In all rooms or parts of buildings which contain inflammable liquids in open containers or in which the vapors from inflammable liquids are present, or in which inflammable liquids are used in any manufacturing process, the carrying of matches is prohibited, and smoking shall be a misdemeanor. Suitable signs lettered SMOKING PROHIBITED BY ORDER OF THE Fire Marshal shall be displayed.

Section 15. It is hereby expressly prohibited to open or fill any gasoline tank of an automobile or motorcycle while the engine or motor is running. No inflammable liquids shall be drawn or handled in the presence of open flame or fire, but may be drawn and handled when lighting is by incandescent electric lamps installed in compliance with the rules and regulations of the "National Electrical Code," said rules and regulations are hereby made a part of the requirements of this ordinance as affecting all electrical equipment.

Section 16. No portable wheeled tank for the handling of inflammable liquids inside buildings shall exceed sixty gallons capacity. Such tanks must be of iron or steel, 3/16 inch thick, with all openings at the top and screened with 30x30 mesh, or equivalent, brass wire screen. Wheels must be rubber tired and tanks so hung as not to be tipped over in ordinary usage. Liquids must be drawn from tank by means of a tight fitting pump, and the device must bear the Underwriters' Laboratories' label of approval.

Section 17. The handling or storing of any inflammable liquid within dangerous proximity to open flame or fire is expressly prohibited.

Section 18. All tank wagons, and wagons containing tanks with faucets; when used for the distribution of inflammable liquids, shall be of substantial workmanlike construction and shall be subject to the approval of the Fire Marshal, who shall inspect and keep a record of such wagons or vehicles, which shall be plainly marked with their record number. All faucets connected to such tank wagons shall be kept locked or have handles removed when not in actual use, such handles to be so constructed that they may not be removed except when the faucet is tightly closed, and all measures and faucets shall be covered or otherwise protected.

Section 19. Any and all persons, firms, or corporations who shall violate any of the provisions of this ordinance or fail to comply therewith, or who shall violate, or fail to comply with any order or regulation made thereunder within ten days, or who shall build in violation of any detailed statement of specifications or plans, submitted and approved thereunder, or any certificate or permit issued thereunder, shall severally for each and every



such violation and non-compliance, respectively, forfeit and pay a penalty in the sum or twenty-five (25.00) Dollars, each day constituting a separate offense. The imposition of one penalty for any violation of this ordinance shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violation or defects within a reasonable time.

Section 20. All former ordinances or parts thereof inconsistent herewith are hereby repealed.

Passed this 7th day of January 1923.  
Approved this 7th day of January 1923.

Hugh Boyd  
Town Clerk

J. H. Reade  
Mayor.