

Chapter 9.5 - GASOLINE SERVICE STATIONS

Footnotes:

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Editor's note— Ord. No. 131, § 1, adopted Nov. 4, 1986, amended the Code by adding a new Ch. 21. In order to maintain the existing classification of subject matter and facilitate indexing, reference and use, the aforesaid has been redesignated as Ch. 9.5, and set out as enacted with only minor, nonsubstantive additions and deletions made for purposes of clarity.

Cross reference— Zoning and review commission, § 15-1 et seq.; utilities and services, Ch. 19; zoning, App. A.

ARTICLE I. - IN GENERAL

Sec. 9.5-1. - Short title.

This chapter shall be known as the "Clarkston Gasoline Service Station Ordinance."

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-2. - Applicability.

This chapter shall apply to any establishment where gasoline or other motor vehicle fuel is sold at retail, and dispensed by attendants at dispensing devices, and may include facilities for minor repairs and services. This chapter is hereby expressly declared to not apply to motor fuel dispensing units which are not open to the public.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-3. - Permit required.

No gasoline service station shall be built, altered or enlarged without first obtaining a special permit from the city zoning and review commission.

(Ord. No. 131, § 1, 11-4-86; Ord. No. 306, § 1, 5-2-06)

Cross reference— Zoning and review commission, § 15-1 et seq.

Sec. 9.5-4. - Site plan requirements.

A site plan indicating the dimensions of the site, the relative locations of all buildings, pump islands, tanks, signs, screening, accessways, curbing, lighting and landscaping shall be submitted with the application for a special use permit.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-5. - Permit fees.

Applications for permits shall be accompanied by a permit fee of one hundred dollars (\$100.00) for each pump and dispensing device to be located on the proposed site.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-6. - Penalties.

Any person, firm or corporation violating the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof in the mayor's court of Clarkston shall be fined in an amount not exceeding five hundred dollars (\$500.00) or be imprisoned in the county jail for a period not exceeding one hundred eighty (180) days or be both fined and imprisoned. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable individually.

(Ord. No. 131, § 1, 11-4-86)

Editor's note— Ord. No. 131, § 1, adopted Nov. 4, 1986, included the penalty for the chapter as Art. VII, Miscellaneous, § 21-60, Penalty. In order to maintain Code format, the aforesaid has been redesignated as § 9.5-6 at the discretion of the editor.

Secs. 9.5-7—9.5-9. - Reserved.

ARTICLE II. - LOCATION AND SITE REQUIREMENTS

Footnotes:

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Cross reference— *Streets, sidewalks and other public ways, Ch. 16; zoning use provisions App. A, § 1300 et seq.*

Sec. 9.5-10. - Zoning.

Gasoline service stations shall be located in commercial and light industrial districts as a special permitted use, according to the provisions set forth in the zoning ordinance.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-11. - Location.

There shall be a minimum distance of five hundred (500) feet measured from the nearest points of lot boundaries between a proposed gasoline service station and any existing gasoline service station or between a proposed gasoline service station and any lot occupied by a church, hospital, school, or other place of public assembly.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-11.1. - Definitions.

- (a) For the purposes of this chapter, the term "school" shall include all public, private, church operated, for profit and non-profit establishments where children or other persons are located for the purpose of education and learning including, but not limited to, colleges, trade schools, high schools, middle schools, elementary schools, kindergartens, and day-care centers.
- (b) For the purposes of this chapter, distance shall be measured along a straight line from property line to property line using the closest property lines of the parcels of land involved.

(Ord. No. 221, § 1, 7-7-98)

Sec. 9.5-12. - Minimum frontage and area.

The minimum frontage shall be one hundred fifty (150) feet and the minimum lot area shall be fifteen thousand (15,000) square feet.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-13. - Minimum building setback.

The gasoline service station building shall be set back a minimum of sixty (60) feet from the street.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-14. - Accessways.

No driveway approach shall be located within ten (10) feet of an adjoining property line or within twenty-five (25) feet of a street intersection.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-15. - Curb cuts.

The width of curb openings shall be at least twenty-four (24) feet and shall not exceed thirty-six (36) feet and shall not be permitted at locations that will tend to create traffic hazards.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-16. - Lighting.

Lights to illuminate the service station site shall be directed toward the site and the light standard for such lights shall not exceed twenty (20) feet in height. All exterior lighting shall be so arranged as to reflect the light away from adjacent premises and shall also be so arranged as to not affect driver visibility adversely on adjacent thoroughfares. There shall be no flashing or revolving lights.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-17. - Refuse storage area.

Trash and refuse shall be stored in an enclosed or walled area and shall not be visible from the exterior boundaries of the property. Refuse storage areas shall be at least one hundred fifty (150) square feet in area and at least six (6) feet in height.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-18. - Landscaping.

Landscaping shall cover a minimum of five (5) percent of that portion of the site not occupied by buildings or pump islands. The installation of landscaping shall be indicated on the site plan. Adequate and proper maintenance of such landscaping shall be the responsibility of the station operator.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-19. - Screening.

Screening shall be constructed on any lot line which abuts a residential zone. The screening shall consist of a concrete or masonry wall for the entire length of the property line. The wall shall have a minimum height of four (4) feet and a maximum height of six (6) feet and shall be without opening with a minimum thickness of six (6) inches.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-20. - Signs.

- (a) A sign shall be posted on every dispensing device at least twelve (12) inches in height and twelve (12) inches in width, stating clearly and legibly the price per gallon, half-gallon or liter, the breakdown of applicable federal, state and local taxes and the octane rating of the fuel.
- (b) At least one (1) sign shall be posted on the premises, clearly visible and readable from all traffic lanes in each direction on such street or streets, indicating thereon the actual price per gallon, half-gallon or liter, applicable federal, state and local taxes, each grade of motor vehicle fuel which is currently being offered for sale, sold or otherwise dispensed and the maximum or minimum purchase limits, if any. The size of such sign shall be a minimum of twelve (12) square feet, in letters no smaller than six (6) inches in height and in numerals no smaller than ten (10) inches in height.
- (c) At least one (1) "NO SMOKING" sign, with letters at least six (6) inches tall, clearly visible in all directions, shall be located on each pump island.

(Ord. No. 131, § 1, 11-4-86)

ARTICLE III. - DESIGN STANDARDS

Footnotes:

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Cross reference— *Buildings, construction and related matters, Ch. 5; fire prevention, Ch. 9.*

Sec. 9.5-21. - Generally.

In addition to design standards set forth in the city building code and city fire code, all gasoline service stations shall be designed and constructed in conformity with the standards set forth in this article.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-21.1. - Fire-resistant materials.

Gasoline service stations including canopies and supports over pumps, shall be of a noncombustible, fire-resistive construction in accordance with the standards of the city fire code.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-22. - Floor level.

The floor level of all service station buildings shall be above grade with respect to any gasoline dispensing devices so as to prevent the flow of liquids or vapors into the building.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-23. - Floor surfaces.

Floor surfaces shall be of noncombustible, nonabsorbent material. Driveways, service areas and parking areas may be surfaced with asphaltic pavement or Portland cement binder.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-24. - Floor drains.

Floors shall drain to approved oil or gasoline separators or traps discharging to sewers installed in accordance with the city plumbing code.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-25. - Ventilation and light.

Windows shall have glazed openings of clear glass of an area not less than one-tenth (1/10) of the total floor area. Exhaust ventilation shall be provided, sufficient to produce four (4) air changes per hour unless the building is supplied with unobstructed openings to the outer air which is sufficient to provide the necessary ventilation.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-26. - Heating systems.

Heating systems in service stations that have rooms or stalls for greasing or servicing motor vehicles shall be of a type that will preclude the likelihood of gasoline gas reaching the heaters. Electric heating units and equipment located within the possible path of vapor travel shall be designed and installed so as not to create an ignition hazard and shall conform with the city electrical code.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-27. - Basements and pits.

Service station buildings shall not contain basements, excavations, or rooms below grade. Pits in service areas shall comply with the requirements of the city building code.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-28. - Restrooms.

Restroom facilities shall be located either in the service station building or conveniently in an adjacent building. Separate facilities shall be provided for each sex and all restroom entrances shall be screened from view of adjacent properties or street rights-of-way.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-29. - Slope.

The ground shall slope downhill from all buildings on the premises to the pumps and downhill from the pumps to the street(s).

(Ord. No. 131, § 1, 11-4-86)

ARTICLE IV. - FUEL STORAGE TANKS

Sec. 9.5-30. - Underground storage.

Flammable and combustible liquids used or intended to be used as motor vehicle fuel shall be stored in underground tanks. The combined capacity of storage tanks shall not exceed thirty thousand (30,000) gallons. Any underground tank for receiving crank case drainage need not be counted in computing the storage capacity.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-31. - Location and clearance.

- (a) *To basement and the like:* Individual tanks of a capacity up to two thousand (2,000) gallons shall be buried so that tops of tanks shall be lower than all floors, basements, cellars or pits of buildings within ten (10) feet thereto, on or off the property, or tanks shall maintain a clearance of ten (10) feet thereto. For individual tanks of a capacity of more than two thousand (2,000) gallons and up to six thousand (6,000) gallons, this distance shall be twenty (20) feet. For individual tanks with a capacity of more than six thousand (6,000) and up to twenty thousand (20,000) gallons, twenty-five (25) feet.
- (b) *To sewer and the like:* Individual tanks of a capacity up to two thousand (2,000) gallons shall be buried so that the tops of tanks shall be lower than the bottom level of all sewers, manholes, catch basins, cesspools, septic tanks, wells or cisterns within ten (10) feet on or off the property or tanks shall maintain a full clearance of ten (10) feet thereto. For individual tanks with a capacity of more than two thousand (2,000) gallons and up to six thousand (6,000) gallons, this distance shall be twenty (20) feet. For individual tanks of a capacity of more than six thousand (6,000) gallons and up to twenty thousand

(20,000) gallons, this distance shall be twenty-five (25) feet. The term "sewer" includes sewer line out of station building. Provided, however, that these clearances shall not be required to a sewer line out of service station if such sewer line is constructed throughout of cast iron with leaded joints.

- (c) *To property lines:* Individual tanks of a capacity up to two thousand (2,000) gallons maintain a ten-foot clearance to property lines. For individual tanks of a capacity of more than two thousand (2,000) gallons and up to six thousand (6,000) gallons, this distance shall be twenty (20) feet. For individual tanks of a capacity of more than six thousand (6,000) and up to twenty thousand (20,000) gallons, this distance shall be twenty-five (25) feet. Provided, however, that these clearances on the side adjacent to a public street, alley or highway may be waived by consent of the authorities having immediate jurisdiction over the public street, alley or highway, if it can be shown that the required sewer clearances can be maintained.
- (d) *To special classes of property:* Tanks and pumps shall maintain a clearance of not less than six hundred (600) feet to any schoolhouse, hospital or church. The distance shall be measured from the nearest points of tanks and pumps to the nearest points of buildings.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-32. - Material and construction.

All underground storage tanks shall be thoroughly coated on the outside with tar, asphaltum, fiberglass, or other suitable rust-resisting material, but always in accordance with all applicable law. All underground storage tanks shall be approved by either Underwriters Laboratories, Inc., American Petroleum Institute, American Society of Mechanical Engineers or State of Georgia. Periodic tests of underground storage tanks shall be conducted as required by the local fire marshal.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-33. - Setting and protection.

Underground storage tanks shall be set on a firm foundation and surrounded with at least six (6) inches of noncorrosive inert material such as clean sand or gravel. It shall then be covered with a minimum of five (5) feet of earth on top of which shall be placed a slab of reinforced concrete not less than six (6) inches thick.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-34. - Venting.

Each tank shall be provided with a vent pipe, connected with the top of the tank and carried up to the outer air. Pipe shall be arranged for proper drainage to storage tank and its lower end shall not extend through top of tank for a distance of more than one (1) inch; it shall have no traps or pockets.

- (1) Upper end of pipe shall be provided with a gooseneck or "T" attachment or hood.
- (2) Vent pipe shall be of sufficient cross-sectional area to permit escape of air and gas during the filling operation and in no case less than one (1) inch in diameter. If a power pump is used in filling storage tank, and a tight connection is made to fill pipe, the vent pipe shall not be smaller than the fill pipe.
- (3) Vent pipe shall terminate outside of building not less than twelve (12) feet above top of the fill pipe, and not less than four (4) feet, measuring vertically and horizontally, from any window or other building opening, and not less than fifteen (15) feet measured horizontally from any opening into the basement, cellar or pit of any building, and in a location which will not permit pocketing of gas. If a tight connection is made in the filling line, the terminus of vent pipe shall be carried to a point one foot above the level of the highest reservoir from which tank may be filled.
- (4) Vent pipe from two (2) or more tanks of the same class of liquid may be connected to one upright or main header; area of header shall equal the combined area of the pipes connected to it. Connection of the header shall be not less than one foot above the level of the top of the highest reservoir from which tank may be filled.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-35. - Fill pipes.

Fill pipes shall be carried to a location outside of any building, as remote as possible from any doorway or other opening into any building and in no case closer than ten (10) feet from any such opening.

- (1) Location shall be in a place where there is a minimum danger of breakage from trucks or other vehicles.
- (2) Each fill pipe shall be closed by a screw cap or other tight-fitting cap of a type which can be locked. Cap should be locked at all times when filling or gauging process is not going on.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-36. - Unloading operations.

Unloading hose from tank truck into underground tank shall be metallic lined or its equivalent and shall be equipped with a nonferrous nozzle or tight connection metal nipple.

- (1) During unloading operation, a competent person shall be present and in charge at all times.
- (2) If underground tank is supplied through permanent pipe connection to an aboveground general storage tank, filling process may be by owner driven pump or gravity. In addition to valves at aboveground tanks, a valve shall be installed within control of service station personnel.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-37. - Discontinued use.

Underground tanks which develop leaks or which are permanently discontinued in service shall be removed promptly or shall be filled with sand. The sand is to be flushed in with water until a complete sand fill is secured.

(Ord. No. 131, § 1, 11-4-86)

Secs. 9.5-38, 9.5-39. - Reserved.

ARTICLE V. - DISPENSING DEVICES

Sec. 9.5-40. - Pump island location.

Pump island(s) shall be a minimum of thirty (30) feet from any right-of-way or property line and a minimum of thirty (30) feet from any building on the lot, and shall be above grade with respect to any street adjoining the property.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-41. - Pump island platform.

All pumps must be securely anchored on a concrete base of a minimum of six (6) inches in height.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-42. - Approval of equipment.

Pumps, electrical equipment, piping systems, base, nozzles and other integral parts of the dispensing device shall be approved in accordance with the standards of the National Fire Protection Association. Wiring of electric pumps and all electrical equipment in connection therewith shall conform to the National Electric Code.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-43. - Pumps.

Motor vehicle fuel shall be transferred from underground tanks by means of fixed pumps, so designed and equipped as to allow control of the flow and to prevent leakage or accidental discharge.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-44. - Nozzles.

An automatic nozzle with a latch-open device may be used by a competent attendant to dispense motor vehicle fuel. Such nozzle shall have the latch-open device as an integral part of the assembly and shall shut off the liquid when the gasoline tank is filled.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-45. - Controls.

Dispensers shall be equipped with remote master control devices to shut off all pumps in the event of fire or other emergency. Signs identifying the pump shut off controls shall be labeled "Emergency Pump Shutoff." One such emergency pump shutoff shall be located within the service station building. One such emergency pump shutoff shall be located outside the building within twenty-five (25) feet of the pumps it controls. One such emergency pump shutoff shall be located outside the building at least fifty (50) feet from the pumps it controls.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-46. - Indicators.

- (a) *Price per gallon:* Every dispensing device shall be equipped with a price per gallon, half-gallon or liter indicator.
- (b) *Total price indicator:* Every dispensing device shall be equipped with an indicator which shall record the total price computed on the basis of the posted price and number of gallons, half-gallons or liters delivered.

(Ord. No. 131, § 1, 11-4-86)

Secs. 9.5-47—9.5-49. - Reserved.

ARTICLE VI. - OPERATION

Sec. 9.5-50. - Flammable liquids.

No gasoline, naphtha or other higher flammable liquids shall be kept inside of service station building. No alcohol or other flammable antifreeze solution shall be kept inside service station except in original sealed containers. No transfer of such liquids from these receptacles shall be made inside the service station.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-51. - Storage and display of merchandise.

The storage of merchandise for sale shall be confined to the rear half of the lot measured from all street frontages. The merchandise shall be stored in portable or semi-portable cabinets, provided each cabinet shall not exceed six (6) feet in height and forty (40) feet in base area, and is located not less than fifty (50) feet from all street property lines.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-52. - Automotive merchandise.

The display of automotive merchandise for sale shall be permitted in enclosed buildings, on pump islands and within three (3) feet of the station building. No more than one (1) display rack for each type of item is permitted at each pump island.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-53. - Fire-fighting equipment.

Each service station shall be equipped with at least one (1) foam-type fire extinguisher suitable for oil or gasoline fires, of a minimum 10-B:C rating for every two (2) dispensing devices, located within twenty-five (25) feet of any dispensing device. In addition, each service station shall be equipped with at least one (1) such fire extinguisher located outside of any building, at a distance at least fifty (50) feet away from any dispensing device.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-54. - Telephone.

Each service station shall be equipped with a telephone, and the telephone number of the local fire department shall be prominently displayed nearby.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-55. - Hours of operation.

No service station shall operate between the hours of 12:00 midnight and 6:00 a.m.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-56. - Insurance.

Any person, firm or corporation operating any gasoline service station shall have in effect at all times a liability insurance policy, protecting each person who may be injured therein, in an amount of not less than one million dollars (\$1,000,000.00).

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-57. - Attendants.

Every service station shall have at least one (1) competent attendant on duty during all hours of its operation. The station operator shall be responsible for instructing attendants as the fire code provisions for the dispensing of motor vehicle fuels and for the operation of dispensing devices, fire extinguishers and public address systems to the satisfaction of the local fire marshal.

(Ord. No. 131, § 1, 11-4-86)

Sec. 9.5-58. - Safety requirements.

- (a) Cleaning with gasoline, naphtha or other highly flammable liquids shall not be permitted in or around service station.
- (b) The fuel tank of no motor vehicle shall be serviced until the motor and ignition has been shut off.
- (c) No smoking shall be permitted on premises at any time, and the signage requirements of this chapter in connection therewith shall be strictly complied with.
- (d) No open lights or flames shall be permitted on the premises.
- (e) Premises must be kept neat and clean, free from rubbish and trash.
- (f) Motor vehicle fuel shall be dispensed only into the fuel tank of motor vehicles, provided, however, that individual sales of up to five (5) gallons may be made in closed, portable, metal containers, painted red and properly labeled and approved by either Underwriters Laboratories, Inc., American Petroleum Institute, or American Society of Mechanical Engineers.

(Ord. No. 131, § 1, 11-4-86)

Secs. 9.5-59—9.5-69. - Reserved.

ARTICLE VII. - SELF-SERVICE MOTOR FUEL DISPENSING PUMPS

*Footnotes:**--- (5_4) ---*

Editor's note— *Ord. No. 132, § 1, adopted Nov. 4, 1986, amended the code by adding a new Art. VIII to Ch. 9.5. Inasmuch as the provisions of former Art. VII have been redesignated as § 9.5-6, the provisions of the aforesaid ordinance have been included herein as Art. VII.*

Sec. 9.5-70. - Applicability.

This article shall apply to any gasoline service station, convenience store, or other business, where gasoline or other motor vehicle fuel is sold at retail, where the public is permitted and expected to operate the pump to put fuel into the tank of a vehicle. This article is hereby expressly declared not to apply to motor fuel dispensing units which are not open to the public.

(Ord. No. 132, § 1, 11-4-86)

Sec. 9.5-71. - Permit.

Any person, firm or corporation desiring to construct, operate or maintain a motor fuel dispensing station with self-service motor fuel dispensing pumps shall apply for and obtain a permit in the manner set forth in article I of this chapter.

(Ord. No. 132, § 1, 11-4-86)

Sec. 9.5-72. - Regulations.

All regulations pertaining to automobile service stations, as defined in articles I through VI of this chapter shall apply to self-service gasoline stations, except as specifically otherwise provided in this article.

(Ord. No. 132, § 1, 11-4-86)

Sec. 9.5-73. - Dispensing fuel.

No person under the age of sixteen (16) years shall dispense fuel at a self-service gas station. No person who is under the influence of alcohol or under the influence of a controlled substance shall dispense fuel at a self-service gas station. All persons dispensing fuel shall use care and caution to prevent spillage and to prevent fire hazards. Except as otherwise provided in this article, no provision of any ordinance shall be applied to prevent any member of the public, not an employee of an automobile service station, from dispensing fuel into the fuel tank of a vehicle in which he is a passenger or of which he is a driver.

(Ord. No. 132, § 1, 11-4-86)

Sec. 9.5-74. - Attendants.

At any service station having self-service motor vehicle pumps, at least one attendant shall be on duty during all hours of operation. Said attendant shall be of sufficient mental and physical capacity to be able to provide assistance to patrons of such self-service pumps, if needed or desired.

(Ord. No. 132, § 1, 11-4-86)

Sec. 9.5-75. - Visibility.

At each service station or other business providing gasoline to customers at self-service pumps, the attendant shall be stationed so that all persons dispensing gasoline are clearly visible to such attendant at all times.

(Ord. No. 132, § 1, 11-4-86)

Sec. 9.5-76. - Cut-off devices.

At each gasoline service station or other business providing gasoline to customers at self-service pumps, the owner, lessee, or person operating said station shall install a device inside the primary building within ten (10) feet of the main cash register to enable the attendant to cut the self-service pumps on and off.

(Ord. No. 132, § 1, 11-4-86)

Sec. 9.5-77. - Dispensing nozzles.

Gasoline dispensing nozzles to be used at self-service pumps shall be an automatic-closing type without a latch-open device, and shall shut off the liquid when the gasoline tank is filled.

(Ord. No. 132, § 1, 11-4-86)

Sec. 9.5-78. - Special dispensing systems.

Special dispensing systems, such as a coin-operated and remote, set types, are permitted at self-service pumps, provided that an attendant is on duty at the pump islands during all hours of operation.

(Ord. No. 132, § 1, 11-4-86)

Sec. 9.5-79. - Type-of-service signs.

A sign, in block letters at least four (4) inches in height, and visible in all directions, shall be conspicuously posted on each pump island, indicating whether the island is self-service or full-service.

(Ord. No. 132, § 1, 11-4-86)

Sec. 9.5-80. - Instructional signs.

A sign shall be posted on every self-service dispensing device, in block letters at least one-half inch in height, giving complete instructions as to the use of self-service devices in a safe manner.

(Ord. No. 132, § 1, 11-4-86)

Sec. 9.5-81. - Penalties.

Any person, firm, or corporation violating the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction thereof in the mayor's court of Clarkston shall be fined in an amount not exceeding five hundred dollars (\$500.00) or be imprisoned in the county jail for a period not exceeding one hundred eighty (180) days or be both fined and imprisoned. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable individually.

(Ord. No. 132, § 1, 11-4-86)

Sec. 9.5-82. - Rights to prohibit preserved.

This article is not intended to create private rights, and the governing authority of the city may review and revoke its prior determinations regarding the licensing of self-service motor fuel dispensing pumps, and may at any time, if deemed necessary to protect the health, safety, or welfare of its inhabitants, prohibit the maintenance or operation of such pumps within the city's corporate limits. In the event such prohibition is instituted, current licenses shall be allowed to expire at their previously set dates, but renewal shall be refused.

(Ord. No. 132, § 1, 11-4-86)