

Ordinance No. 647

Notice is hereby given that there will be a Public Hearing by the City Council in the Council Chamber, City Hall at 7:30 p. m. Tuesday, July 11, 1950 on the hereinafter described ordinance.:

AN ORDINANCE to amend Chapter XXV of the Code of the City of Alexandria enacted as a whole July 2, 1940 and made effective August 5, 1940 relating to Filling Stations.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

1. That Chapter XXV of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940 be and the same hereby is amended to read as follows:

CHAPTER XXV FILLING STATIONS

Sec. 1. Definitions.

A. The term "retail dealer" shall mean any person, firm or corporation operating a service station, filling station, store, garage or other place of business for the retail sale of motor fuel or the sale of or dispensing of motor fuel for delivery into the service tank or tanks of any motor vehicle which is propelled by an internal combustion motor other than such a motor vehicle belonging to the person owning or operating said place of business.

B. The term "Motor Fuel" shall mean (a) a light distillate of petroleum or allied substance with suitable volatility and other characteristics to be used as a fuel for operating internal combustion engines whether or not it is mixed with other materials, or (b) any other product or liquid when sold for use as a fuel in any type of internal combustion engine furnishing power to operate a vehicle.

Sec. 2. Prohibited at Curb.

The installation of gasoline filling stations at the curb (other than those now in existence) is prohibited.

Sec. 3. Installation and Operation.

The installation and operation of gasoline filling stations shall conform in all respects to the Fire Prevention Code of the City of Alexandria.

Sec. 4. Air Line Water Permits.

Permits will be granted for the installation of water and air lines, when practical, in connection with the installation of gasoline filling stations. Applications for said installation shall be made to the City Manager.

Sec. 5. Drainage.

The driveways of filling stations shall be properly drained.

Sec. 6. Open Flame.

No open flame device shall be located or permitted within twenty-five feet of any pump.

Sec. 7. Inflammable Materials.

No inflammable material shall be stored, or on display within twenty-five feet of any pump.

Sec. 8. Fire Fighting Equipment.

Equipment shall be designated by the Bureau of Fire Prevention.

Sec. 9. Instruction of Attendant.

All attendants shall be thoroughly instructed in the use of fire extinguishing equipment on appliances in case of fire.

Sec. 10. Motors Shut Off.

The motor of any vehicle shall be shut off during fueling operations and "Stop Your Motor" signs shall be placed in plain view at each end of pump islands.

Sec. 11. Smoking.

There shall be no smoking in areas where gasoline is dispensed and suitable "NO SMOKING" signs shall be displayed.

Sec. 12. Self-Service Pumps.

No Class 1 liquids or motor fuel, as defined in City Fire Prevention Code, shall be dispensed at or in any automobile filling station, or any public filling station, or any place of business by any self-help or coin-operated pump, or other self-dispensing device, or by any person other than the owner, lessee or a duly authorized attendant employed by such owner or lessee for such purpose.

Sec. 13. Hold Open Devices.

It shall be unlawful for the owner or operator of any service station, or of any vehicle used for delivering fuel for motor vehicles, residences or businesses to use or permit the use of hold open devices or latches at or on the fuel discharging nozzle or valve. Automatic shut-off devices which do not have the hold open latch are allowed.

Sec. 14. Price Display.

Every retail dealer in motor fuel may publicly display and maintain on each pump or other dispensing device from which motor fuel is sold by him, at least one sign and not more than two signs stating the price per gallon of the motor fuel, the State and Federal taxes, and the total price, sold by him from such pump or device. Said sign or signs shall be of a size not larger than eight inches by ten inches. The price shown on each such signs shall include an itemization of the retail selling price per gallon of said motor fuel, the amount of Federal taxes and the amount of State taxes. All figures, including fractions, upon said signs, other than figures and fractions used in any price computing mechanism constituting a part of any such pump or dispensing device, shall be of the same size.

No signs stating or relating to the prices of motor fuel, and no signs designed or calculated to cause the public to believe that they state or relate to the price of motor fuel, other than the signs referred to in the preceding paragraph and displayed upon pumps and other dispensing devices, shall be posted or displayed on or about the premises where motor fuel is sold at retail, and within the view of any public highway or reservation.

Sec. 15. Trade Names.

All above-ground equipment for storing or dispensing motor fuel operated by a retail dealer shall bear in a conspicuous place the brand name or trademark, of the manufacturer, distributor or retail dealer

of the product stored therein or sold or dispensed therefrom. If the motor fuel stored in or sold or dispensed from above-ground equipment by a retail dealer has no brand name or trade-mark such container or dispensing equipment shall have conspicuously displayed thereon the words "NO BRAND," or retail dealer's own brand or trade name.

Sec. 16. Penalty.

Any person either by himself or his agent, servant or employee, violating any provisions of this chapter, shall be subject to a fine of not more than \$300.00 or imprisonment in the city jail for a period not to exceed 90 days, or both such fine and imprisonment, at the discretion of the court.

Sec. 17. Court Jurisdiction.

The Corporation Court shall have jurisdiction in equity to enjoin the habitual, continued or repeated violation of any provision of this sub-title by any retail dealer. Petitions for such relief may be filed by any person injured or damaged by such violation.

Sec. 18. Savings Clause.

If any provision of this sub-title, or the application thereof, to any person or circumstances, shall be held invalid, the remainder of said provisions, or the application of such provisions to any person or circumstances other than that as to which it is held invalid, shall not be affected thereby.

2. That this ordinance shall be published in the Alexandria Gazette not later than two days following its introduction together with a notice containing the time and place for a public hearing. The clerk of the council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

FRANKLIN P. BACKUS,
Mayor.

Final Passage: July 11, 1950.
Published: June 29, 1950.