

# Ordinance No. 687

AN ORDINANCE to amend and reordain Chapter XXV of the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, as said Chapter XXV is amended by Ordinance No. 647, which said chapter and ordinance both relate 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, as said Chapter XXV is amended by Ordinance No. 647, be and the same hereby is amended and reordained 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 and 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 Provention.

**Sec. 9. Instruction of Attendant**

All attendants shall be thoroughly instructed in the use of fire extinguishing apparatus 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. Automatic Locking Devices.**

It shall be unlawful for a self-service type station to operate unless each dispensing unit for Class I liquids is provided with an automatic locking device that prevents the re-use of the unit after the hose has been replaced until the unit has been manually unlocked by means of a detachable key or similar mechanism. A computing pump that automatically prevents re-use until the re-set handle is operated may be approved as complying with the provisions of this section, provided the re-set handle is detached and is used only by the attendant to start the pump prior to each use by a customer.

**Sec. 13. Use of Devices for Customers**

No person shall allow any dispensing device for Class I liquids at a self-service station to remain unlocked except during the time that it is in actual use by a customer. No person shall unlock a Class I liquid dispensing device for the use of a customer if such customer, or any other person in the vicinity of such unit, is smoking, or if such customer appears to be under the influence of an intoxicant, or otherwise incompetent. All dispensing or gaging devices must bear the label of the Underwriters Laboratories or other Nationally recognized Board or Laboratories.

**Sec. 14. Control of Dispensing Liquids**

In any type service station, the dispensing of Class I liquids into the fuel tank of a vehicle or container shall at all times be under the manual control of a competent person. The use of any device in a service station which permits the dispensing of Class I liquids

when the hand of the operator of the discharge nozzle is removed from the nozzle control lever is hereby forbidden.

**Sec. 15. Shut Off Switch**

There shall be provided in a remote location on the premises, an individual switch for each dispensing island having self-service type feature. This switch and wiring assembly shall be such that employees on duty can shut off the pumps on each island without affecting other islands.

**Sec. 16. Attendant Required**

Qualified attendants in a number sufficient to preserve the public safety shall always be present at a service station when motor fuel is dispensed.

**Sec. 17. Mechanical Locomotion**

The use of skates or other artificial mechanical means of locomotion is hereby prohibited for use by any attendant.

**Sec. 18. Coin Operated Dispenser.**

It shall be unlawful to dispense gasoline by the use of unattended coin operated dispensing devices.

**Sec. 19. Price Display**

- A. Every retail dealer in motor fuel shall publicly display and maintain on each pump or other dispensing device, from which motor fuel is sold by him, at least one sign 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. 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.
- B. No signs relating to the price of motor fuel or other products sold by any retail dealer shall be posted or displayed on or about the premises which shall violate any ordinance of the City of Alexandria or State of Virginia or which shall constitute a traffic or driving hazard, or which shall mislead the public, or in any way tend to constitute a fraud upon the public.
- C. 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 Sec. 19 A of this ordinance, shall be posted or displayed on or about the premises where motor fuel is sold at retail and within view from any public highway or reservation.

**Sec. 20. 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 trade-mark, of the manufacturer or distributor of the product stored therein or sold or dispensed therefrom. If the

motor fuel stored in or sold or dispensed from aboveground equipment by a retail dealer has no brand name or trademark, such container or dispensing equipment shall have conspicuously displayed thereon the words "NO BRAND", or retail dealer's own brand or trade name.

**Sec. 21. 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. 22. 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. 23. Savings Clause.**

If any provision of this sub-title, or the application thereof, to any person or circumstance, 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**

Published: May 24, 1951  
Final Passage: June 26, 1951