



**TOWNSHIP OF ARMADA, COUNTY OF MACOMB**  
**SELF-SERVICE GASOLINE STATION ORDINANCE**

**ORDINANCE NO. 05-02**

**Title**

An Ordinance defining self-service gasoline stations, requiring that self-service gasoline stations not be operated in violation of any section of this Ordinance, requiring the installation of fire extinguishing equipment, emergency electrical shut off for all dispensing devices, requiring that attendants be on duty, providing a penalty for violation of any provision of this Ordinance, and repealing any and all Ordinances and/or Resolutions in conflict therewith.

**THE TOWNSHIP BOARD OF THE TOWNSHIP OF ARMADA, MACOMB  
COUNTY, MICHIGAN ORDAINS:**

**Section 1. Short Title.**

This Ordinance shall be known and cited as the Armada Township Self-Service Gasoline Station Ordinance.

**Section 2. Purpose.**

The purpose of this Ordinance is to protect the public health, safety, and general welfare of the property and persons in the Township of Armada through the regulation of self-service gasoline stations, construction and installation of pumps and fire extinguishing equipment.

**Section 3. Definitions.**

As used in this Ordinance, a "self-service gasoline station" shall be deemed to be an establishment where gasoline, diesel fuel, and other flammable liquids are dispensed and sold from pumps and where members of the public are permitted, solicited, or encouraged to operate such pumps as a condition of purchasing such fuel.

**Section 4. Compliance with Ordinance Required.**

\_\_\_\_\_The owner, lessee of the owner, tenant, agent, servant and employees of a self-service gasoline station shall not operate a self-service gasoline station nor authorize any other person to operate such gasoline station in violation of any of the sections of this Ordinance. If such self-service gasoline station is owned or operated by a partnership or corporation, the individual partners and the corporation directors and officers shall be deemed to be responsible for compliance with this Ordinance in addition to its tenants, agents, servants or employees.

**Section 5. Submission and Approval of Plans.**

\_\_\_\_\_Every person who intends to construct, reconstruct, convert or alter any gasoline service station in order to create or operate a self-service gasoline station shall provide

the township fire department with plans for the proposed station. The plans shall include the location of the pumps, control console, fire extinguishing equipment and controls therefor. No such construction, alterations or conversions of existing facilities shall be undertaken unless such plans have been approved by the fire department. Once approval therefor has been obtained, such construction shall follow the approved plan. Any variance in construction from the approved plan shall require written approval of the township board, after review by the Fire Department.

#### **Section 6. Fire Extinguishing Equipment Requirements.**

\_\_\_\_\_An Underwriters' Laboratories approved fixed-pipe dry chemical extinguishing system, provided with automatic and manual controls shall be installed at each pump island where self-service is utilized. Such installation shall be approved by the township fire department. The manual control shall be clearly identified, easily accessible and installed at the location of the control console containing the emergency shut off switches. Each extinguisher head shall be installed in such a manner that accumulation of ice or snow shall not adversely affect the operation of the system. Approved portable fire extinguishers having a rating of at least 40 BC shall be provided and located so that there is one (1) such extinguisher within fifty (50) feet of each pump island in at least two (2) directions. No portable extinguisher required under this section shall be located closer than twenty (20) feet from the pump island.

#### **Section 7. Emergency Electric Shutoff.**

An Underwriter's Laboratories approved electric switch or circuit breaker shall be installed at a location remote from the self-service pump islands so as to permit shutting off the electric power to all dispensing devices in the event of an emergency. Such switch or circuit breaker shall be clearly identified and shall be within one hundred (100) feet of any pump island. Self-service pumps may be equipped with a switch that deactivates such pump when the fueling operation is complete, or such pump shall be deactivated at the emergency control position upon completion of the fueling operation. Self-service pumps shall be activated only from the emergency control center.

#### **Section 8. Attendants.**

(a) One on duty at all times. There shall be at least one (1) attendant on duty at all times when a self-service gasoline station is operating and/or open to the public. At least one (1) attendant's primary function shall be to supervise, observe, and control the dispensing of flammable liquids while such flammable liquids are being dispensed. This attendant shall remain at the emergency controls during the dispensing of gasoline and shall be termed the control console operator for purposes of this Ordinance. Such attendant shall be permitted a reasonable degree of movement beyond their physical reach of the emergency control; however, such attendant shall not be considered to be at the emergency controls if he is removed therefrom by a distance greater than would permit his ready and immediate access to the controls. Such attendant shall observe any self-service dispensing operations occurring at the pump islands so as to be able to deactivate such pumps in the event of a spill, fire or other hazardous occurrence. No such attendant shall be under the age of sixteen (16) years.

(b) Number. No more than nine (9) dispensing nozzles shall be under the

control of one (1) attendant or control console operator.

**Section 9. Intercommunication Requirement.**

There shall be constant contact by the control console operator and the pump island at a self-service gasoline station by means of intercommunication system which shall be maintained in proper good working condition.

**Section 10. Maintenance of Clear View.**

The dispensing area of a self-service gasoline station must be at all times in clear view of the attendant. Placing or allowing any obstacle to come between the dispensing area and the attendant control area is prohibited. Mirrors are not an acceptable means for providing adequate visual control.

**Section 11. Age of Pump Operator.**

No person under the age of sixteen (16) years shall operate a gasoline dispensing device at a self-service gasoline station.

**Section 12. Filling Portable Containers.**

No container shall be filled with flammable liquids while inside the passenger compartment of a passenger-carrying vehicle.

**Section 13. Signs Required.**

Metal warning signs, printed in not less than three-inch block letters, shall be conspicuously posted in the dispensing area of a self-service gasoline station incorporating the following, or equivalent, wording:

- (1) Turn ignition off.
- (2) No smoking.
- (3) Unlawful and dangerous to dispense gasoline into unapproved containers.
- (4) No cell phone usage.

**Section 14. Nozzle Requirements.**

\_\_\_\_\_ Each pump hose used for self-service shall be equipped with an automatic shutoff without a hold-open latch.

**Section 15. Compliance with Codes.**

No self-service gasoline station shall be operated unless such station and the operation thereof shall comply with all the applicable provisions of the State of Michigan Building, Residential, Plumbing, Mechanical and Electrical Codes and International Fire Code of 2000, or its successor fire code adopted by the Township, and the state police fire marshal flammable liquids regulations. Whenever it appears that any conflict exists

in the codes, the stricter of the provisions shall apply.

**Section 16. Penalty.**

Any person, firm or corporation who shall fail to comply with any of the provisions of this Ordinance shall, upon conviction thereof, be subject to a fine of not more than Five Hundred (\$500.00) Dollars or imprisonment for ninety (90) days, or by both such fine and imprisonment at the discretion of the court. Every day such violation occurs may constitute a separate offense under this Ordinance and may be punishable as such.

**Section 17. Repeal of Conflicting Provisions.**

All Resolutions, Ordinances or parts thereof conflicting with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

**Section 18. Severability.**

If any section, paragraph, clause, or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity of unconstitutionality of said section, paragraph, clause or provision shall not effect any of the remaining provisions of this Ordinance.

**Section 19. Publication.**

A true copy of this Ordinance or summary thereof shall be published in The Armada Times, a newspaper of general circulation in the Township of Armada.

**Section 20. Effective Date.**

This Ordinance shall take effect 30 days from and after the publication of a true copy or summary thereof as provided above.

**CERTIFICATION OF TOWNSHIP CLERK**

I hereby certify that the attached constitutes a true and complete copy of an Ordinance duly adopted by the Township Board of Armada Township, Macomb County, Michigan at a meeting held on the 9th day of March, 2005.

I hereby further certify that the following Township Board Members were present at the meeting:

Eison, Ruthenberg, Hoxie, LeMieux, Jacob

---

and the following Township Board Members were absent:

None

---

I further certify that Member LeMieux moved for the adoption of the Ordinance, and that Motion was supported by Member Eison.

I further certify that the following Armada Township Board Members voted for the adoption of the Ordinance.

Eison, Ruthenberg, Hoxie, LeMieux, Jacob

---

and that the following Armada Township Board Members voted against adoption of the Ordinance: None

---

  
Margaret Ruthenberg  
Armada Township Clerk

CERTIFICATE OF PUBLICATION

I, the undersigned Township Clerk of the Township of Armada, do hereby certify that on March 9, 2005, the foregoing Ordinance or Summary thereof was duly published in The Armada Times, a newspaper having general circulation within the Township of Armada.

  
MARGARET RUTHENBERG  
ARMADA TOWNSHIP CLERK

**SUMMARY OF ARMADA TOWNSHIP**  
**SELF-SERVICE GASOLINE STATION ORDINANCE**  
**ORDINANCE NO. 5-02**

On March 9, 2005, the Armada Township Board enacted a Self-Service Gasoline Station Ordinance defining self-service gasoline stations, requiring that self-service gasoline stations not be operated in violation of any section of this Ordinance, requiring the installation of fire extinguishing equipment, emergency electrical shut off for all dispensing devices, requiring that attendants be on duty, providing a penalty for violation of any provision of this Ordinance, and repealing any and all Ordinances and/or Resolutions in conflict therewith. The Ordinance becomes effective thirty (30) days from and after publication of this Summary.

The complete text of the Ordinance is on file in the Armada Township offices located at 23121 Main, Armada Michigan, and may be examined or a copy purchased during regular business hours.

  
Margaret Ruthenberg  
Armada Township Clerk

Publish March 16, 2005