

## A Local Law Regarding the Gasoline Pumps

Adopted: 05-25-36

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE, NEW YORK, AS FOLLOWS:

### Section 15.1 REQUIREMENTS FOR PLACING PUMPS, ETC., FOR USE

No tank, container, pump or similar appliance intended for such use, for the purpose of the storage or distribution of gasoline or any other motor fuel by sale or otherwise, shall be erected, placed or maintained within the incorporated Village of Wellsville, New York, subject to the following conditions:

A. A petition to be presented to the Village Board of said Village of Wellsville by filing same with Clerk of said Board, by any person, firm or corporation intending to erect any tank or tanks, containers, pumps, or similar appliances within the said village which petition shall set forth the following facts:

(1) The proposed location of any tank or tanks or containers, pump or pumps or of any similar appliances giving the number of each and the distance or distances of each or any of them from the nearest street or the nearest street intersection, and if the same is to be located fronting on a street, the number of feet frontage, together with a brief description of the plot or parcel of land upon which said appliances are to be erected and maintained.

(2) The total storage capacity of each tank or container, and whether the same are to be erected above or below the surface of the ground.

(3) The character of the business, if any, conducted on the premises surrounding the piece or parcel of land, upon which the proposed erection is to be made. If bounded on any side or sides by residential property, such facts shall be stated.

(4) Character of the business to be conducted, whether for the sale and distribution or whether for sale only or for distribution only.

B. The written approval of the Director of Public Works.

C. The written consent of the immediate owners of property bounding the proposed location of said site. It being understood that the consent of owners of adjacent and surrounding lands to the lands of the person or persons from whom any parcel or part thereof is purchased is contemplated. In the event of failure to obtain a consent or consents, a written statement explaining reasons therefor.

D. The consent of a majority of the entire membership of the Board of Trustees of said village.

E. A public hearing on said petition may be held by the Village Board of the Village of Wellsville; in the event said Village Board shall deem it advisable to hold a public hearing on such petition, notice of such hearing shall be published in the official village newspaper not more than ten (10) days and not less than five (5) days prior to the date of said hearing; which notice shall set forth in substance the information contained in the application upon which the hearing is to be held. The expense of the publication of said notice is to be borne by the applicant, the payment of which shall be a condition precedent to the consideration of such application.

#### Section 15.2 VIOLATIONS AND PENALTIES

Any person, firm or corporation who shall violate any of the provisions of this ordinance or any rule or regulation made pursuant thereto shall be guilty of disorderly conduct and shall be a disorderly person, and upon conviction thereof may be punished by a fine of not more than twenty-five dollars (\$25) and each day on which such violation continues shall constitute a separate offense.

#### Section 15.3 EFFECTIVE DATE

This ordinance shall take effect immediately.