

GASOLINE STATIONS

Chapter 122

GASOLINE STATIONS

§ 122-1. Definitions.

§ 122-2. Restrictions on use of self-service pumps.

§ 122-3. Compliance required.

§ 122-4. Penalties for offenses.

[HISTORY: Adopted by the Board of Trustees of the Village of Barker 7-6-1981 by L.L. No. 1-1981. Amendments noted where applicable.]

§ 122-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

SELF-SERVICE PUMP — A gasoline pump which is operated by the customer.

§ 122-2. Restrictions on use of self-service pumps.

A. No gasoline service station or other establishment which engages in the sale of gasoline, or other fuel for the operation of motor vehicles to the public, shall allow a person other than an employee of said station or establishment to operate a self-service pump, or to cause automobile or gas tanks to be filled with any combustible fuel, except in conformance with the following:

- (1) The engine of the vehicle being filled shall be shut off prior to the nozzle of the gasoline pump being placed into the fuel tank of the vehicle;

- (2) The customer, nor any other person within 30 feet of the vehicle, shall not be smoking, or have in his possession an ignited pipe, cigar or cigarette;
- (3) The nozzle of the fuel pump shall be so constructed that the person operating the same must have the handle engaged by squeezing the lever with his or her hand at all times. No device may be attached to the fuel hose or nozzle which would allow gasoline to continue flowing into the vehicle while the nozzle is not being hand-held by the person filling the vehicle with fuel.

B. Each day's continued violation of this subsection shall be a separate offense.

§ 122-3. Compliance required.

It shall be the responsibility of the owner and the manager and the employees who collect money from self-service customers of each establishment maintaining a self-service pump to cause compliance with the provisions contained in § 122-2 of this chapter. Failure to observe the lack of compliance, lack of knowledge of the lack of compliance or, in the case of the owner or manager, absence from the premises, shall not excuse a failure to comply with the provisions of this chapter.

§ 122-4. Penalties for offenses.

Any person who violates the terms of this chapter shall commit an offense and shall be subject to the following penalties:

- A. For a first offense: a fine not to exceed \$50.
- B. For a second offense within a period of one year: a fine not to exceed \$100.

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- C. For a third offense within a period of one year: a fine not to exceed \$250 and imprisonment for a period not to exceed 15 days.

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