

Councilmember Robertson Amendment No. 1 to Proposed Ordinance 6532

1. Within Section 2 at p. 2 immediately after 23.11.105.6.8 insert the following:

23.11.105.6.16 International Fire Code Section 105.6.16 amended - Flammable and combustible liquids.

2. Within Section 2 at p. 16 immediately after 23.11.105.6.8 insert the following to reflect removal of references to on demand mobile fueling code references in this section of the International Fire Code:

Section 105.6.16 of the International Fire Code is hereby amended to read as follows:

An operational permit is required:

1.To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it apply to piping systems.

2.To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:

2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the fire code official, would cause an unsafe condition.

2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures where such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.

3.To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.

4.To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.

Exception: Fuel oil and used motor oil used for space heating or water heating.

5.To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.

6.To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.

7.To place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground flammable or combustible liquid tank.

8.To change the type of contents stored in a flammable or combustible liquid tank to a material that poses a greater hazard than that for which the tank was designed and constructed.

9.To manufacture, process, blend or refine flammable or combustible liquids.

10.To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4.

11.To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft and other special equipment at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4.

3. Within Section 2 Beginning at p.102 strike and replace the text as follows:

5707.1 General.

On-demand mobile fueling operations that dispense Class I, II and III liquids into the fuel tanks of motor vehicles ~~shall comply with Sections 5707.1 through 5707.6.3~~ is prohibited.

Exception: Fueling from an approved portable container in cases of an emergency or for personal use.

~~5707.2 Mobile fueling vehicle.~~

~~An on-demand mobile fueling vehicle shall be one of the following:~~

~~1.A vehicle that has chassis-mounted tanks or containers where the aggregate cargo capacity does not exceed 1200 gallons (4592 L). A mobile fueling vehicle with a mounted tank in excess of 110 gallons (415 L) shall comply with the requirements of Section 5706.6, Section 5707 and NFPA 385.~~

~~2.A vehicle that carries a maximum of 60 gallons (227 L) of motor fuel in metal safety cans listed in accordance with UL 30 or other approved metal containers, each not to exceed 5 gallons (19 L) in capacity. Containers shall be secured to the mobile fueling vehicle except when in use.~~

~~The mobile fueling vehicle shall comply with all local, state and federal requirements. The mobile fueling vehicle and its equipment shall be maintained in good repair.~~

~~5707.3 Required documents.~~

~~Documents developed to comply with Sections 5707.3.1 through 5707.3.3 shall be updated as necessary by the owner of the mobile fueling operation and shall be maintained in compliance with Section 108.3.~~

~~5707.3.1 Safety and emergency response plan.~~

~~Mobile fueling operators shall have an approved written safety and emergency response plan that establishes policies and procedures for fire safety, spill prevention and control, personnel training and compliance with other applicable requirements of this code.~~

~~5707.3.2 Training records.~~

~~Mobile fueling vehicles shall be operated only by designated personnel who are trained on proper fueling procedures and the safety and emergency response plan. Training records of operators shall be maintained.~~

~~5707.3.3 Site plan.~~

~~Where required by the fire code official, a site plan shall be developed for each location at which mobile fueling occurs. The site plan shall be in sufficient detail to indicate: all buildings, structures, lot lines, property lines and appurtenances on site and their use or function; all uses adjacent to the lot lines of the site; fueling locations, the locations of all storm drain openings and adjacent waterways or wetlands; information regarding slope, natural drainage, curbing, impounding and how a spill will be kept on the site property; and the scale of the site plan.~~

~~5707.4 Mobile fueling areas.~~

~~Mobile fueling shall not occur on public streets, public ways or inside buildings. Fueling on the roof level of parking structures or other buildings is prohibited.~~

~~5707.4.1 Separation.~~

~~Mobile fueling shall not take place within 25 feet (7620 mm) of buildings, property lines or combustible storage.~~

~~Exception: The fire code official shall be authorized to decrease the separation distance for dispensing from metal safety cans or other approved metal containers in accordance with Section 5707.2.~~

~~Where dispensing operations occur within 15 feet (4572 mm) of a storm drain, an approved storm drain cover or an approved equivalent method that will prevent any fuel from reaching the drain shall be used.~~

~~5707.4.2 Sources of ignition.~~

~~Smoking, open flames and other sources of ignition shall be prohibited within 25 feet (7620 mm) of fuel dispensing activities. Signs prohibiting smoking or open flames within 25 feet (7620 mm) of the vehicle or the point of fueling shall be prominently posted on the mobile fueling vehicle. The engines of vehicles being fueled shall be shut off during fueling.~~

~~5707.5 Equipment.~~

~~Mobile fueling equipment shall comply with Sections 5707.5.1 through 5707.5.4.~~

~~5707.5.1 Dispensing hoses and nozzles.~~

~~Where equipped, the dispensing hose shall not exceed 50 feet (15 240 mm) in length. The dispensing nozzles and hoses shall be of an approved and listed type.~~

~~5707.5.2 Fuel limit.~~

~~Mobile fueling vehicles shall be equipped with a fuel limit switch set to a maximum of 30 gallons (116 L) and a nozzle or other approved device that, when activated, immediately causes flow of fuel from the mobile fueling vehicle to cease.~~

~~5707.5.3 Fire extinguisher.~~

~~An approved portable fire extinguisher complying with Section 906 with a minimum rating of 40-B:C shall be provided on the mobile fueling vehicle with signage clearly indicating its location.~~

~~5707.5.4 Spill kit.~~

~~Mobile fueling vehicles shall contain a minimum 5-gallon (19 L) spill kit of an approved type.~~

~~5707.6 Operations.~~

~~Mobile fueling vehicles shall be constantly attended during fueling operations with brakes set and warning lights in operation. Mobile fueling vehicles shall not obstruct emergency vehicle access roads.~~

~~5707.6.1 Dispensing hose.~~

~~Where equipped, mobile fueling vehicles shall be positioned in a manner to preclude traffic from driving over the dispensing hose. The dispensing hose shall~~

~~be properly placed on an approved reel or in an approved compartment prior to moving the mobile fueling vehicle.~~

~~5707.6.2 Drip control.~~

~~Operators shall place a drip pan or an absorbent pillow under the nozzle and each fuel fill opening prior to and during dispensing operations to catch drips.~~

~~5707.6.3 Spill reporting.~~

~~Spills shall be reported in accordance with Section 5003.3.1.~~

Amendment passed and adopted by the City Council this _____ day of _____, 2020 and signed in authentication of its passage this _____ day of _____, 2020.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:
Kathryn L. Gerla, City Attorney

Chad Barnes, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published _____