

ORDINANCE NO. 2019 – 01

**AN ORDINANCE TO ESTABLISH CONTROLS RELATED TO THE USE OF ABOVEGROUND STORAGE TANKS FOR COMMERCIAL SALES OF GASOLINE AND DIESEL MOTOR FUELS IN THE CITY OF CHEROKEE VILLAGE, ARKANSAS, AND FOR OTHER PURPOSES**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHEROKEE VILLAGE ARKANSAS:**

**Section I. ABOVEGROUND STORAGE TANKS**

It shall be unlawful for any person, firm, corporation or entity to store any gasoline or diesel motor fuels held for commercial sale or resale in aboveground storage tanks, provided that this prohibition shall not apply to any aboveground storage tanks existing within the city limits as of the date of the adoption of this ordinance, until such existing tank reaches the end of its useful life and becomes in need of replacement. At such time, the prohibition of this ordinance shall be in effect and applied.

**Section II.**

The Fire Chief or his duly authorized representative shall have the authority to require the removal of any aboveground storage tank existing as of the date of the adoption of this ordinance upon a determination that the aboveground storage tank is or creates a safety hazard to life or property.

**Section III.**

For any violation of this Ordinance a citation may be issued by the Fire Officials of the Cherokee Village Fire Department or Law Enforcement Officials. Upon conviction, the violator shall be subjected to a fine of not less than \$250.00 nor more than \$1,000.00 for each violation.

**EMERGENCY CLAUSE**

The City Council of the City of Cherokee Village, Arkansas, recognizes that this ordinance provides for the safety of the citizens of the City of Cherokee Village and for that reason this ordinance is necessary for the preservation of the public peace, health, comfort, convenience, morals, safety and welfare of the City of Cherokee Village, Arkansas; therefore, an emergency is declared to exist, and this ordinance shall be in full force and effect from the date its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF CHEROKEE VILLAGE, ARKANSAS**

Date: 2/25/2019

Approved: Russell Stokes, Jr.  
Russell Stokes, Jr., Mayor

Attest: Deborah Weichinger  
Deborah Weichinger, City Clerk

