

## **ORDINANCE NO. 928**

### AN ORDINANCE AMENDING ORDINANCE NO. 915 – OF THE WILLISTON CITY CODE OF ORDINANCES TO ALLOW FOR THE TEMPORARY PLACEMENT OF PROPANE CYLINDERS WITHIN THE CITY LIMITS OF THE CITY OF WILLISTON

BE IT ORDAINED, by the Board of Commissioners of the City of Williston, North Dakota, as follows:

The City of Williston currently has a permanent ban on the use of propane cylinders within the City other than those needed for portable gas grills. A temporary permit may be issued for the use of larger propane storage vessels, as follows:

#### **Part One: Residential**

The City of Williston is in need of increased residential properties. Traditional housing is a slow process with mobile properties being timely, accessible, and cost effective.

Mobile and Modular housing can be converted to allow for the use of natural gas; however, a recreational vehicle such as a camp trailer may not be feasible according to Montana Dakota Utilities (MDU).

The Williston City Fire Department proposes to allow the temporary use of 120 gallon or 420 pound propane cylinders to be utilized with the following stipulations:

1. Receipt of a letter of request along with reason for the request.
2. Review by Fire and Health Department Officials.
3. Site inspection.
4. Issuance of a temporary permit no greater than 6 months for the permit with no more than the issuance of two consecutive permits.
5. Inspection of installation.

The cylinder shall be placed:

1. On a solid, non-elevated surface.
2. Secured in place.
3. Placed in a position that is safe from damage.
4. Attached to the property/appliance in accordance with the manufacturer's recommendations.

#### **Part Two: Commercial**

The Williston City Fire Department proposes to allow the temporary use of propane cylinders during the construction phase of a building project with the following stipulations:

1. Receipt of a letter of request along with the reason for the request.
2. Provide a site plan.
3. Review by the Fire and Health Department Officials.
4. Site inspection.

5. Issuance of a temporary permit no greater than 4 months for the permit with no more than the issuance of two consecutive permits for each project.
6. Inspection of installation.
7. The application shall maintain all necessary records of the cylinder including an MSDS.

Cylinder placement:

1. On a solid, non-elevated surface.
2. Cylinder no greater than one thousand (1000) gallons.
3. Surrounded by concrete barriers to be protected from damage.
4. Attached to the appliance in accordance with the manufacturer's recommendations.

After placement of such cylinder, Disaster and Emergency Services shall be notified.

### **Part Three: Size of Propane Tank**

No propane tank, which is to be used in an RV park, shall exceed 420 pounds or 120 gallons of capacity. Use of propane cylinders in an RV park are addressed within a special use permit for extended use.

### **Part Four: Penalties**

Failure to obtain a temporary permit for the use of a large capacity propane cylinder may result in, but no be restricted to:

1. Immediate cessation of operation.
2. Removal of the cylinder.
3. Denial of occupancy until corrected.
4. All fees and services toward investigation, removal, and cleanup.

### **Part Five: References**

International Fire Codes include:

1. Section 1403
2. Section 3405
3. Chapter 30

National Fire Protection Association  
Occupational Health and Safety Association  
Department of Homeland Security  
National Propane Gas Association  
North Dakota Propane Gas Association

Commissioner Lawson moved the adoption of the foregoing Ordinance. The Motion was seconded by Commissioner Bekkedahl. On roll call vote of the Commissioners vote "AYE": Klug, Lawson, Bogar, Bekkedahl, Koeser, and the following Commissioners vote "NAY": None. Absent and not voting: None.

WHEREUPON, the Motion was passed and the Ordinance declared adopted this 8th day of May, 2010.



E. WARD KOESER, President  
Board of City Commissioners

ATTEST:

  
JOHN KAUTZMAN, City Auditor

FIRST READING: May 25, 2010

SECOND READING: June 8, 2010

PUBLISHED: June 17, 2010

ADOPTED THE 8th DAY OF June, 2010.