

ORDINANCE NO. 534

AN ORDINANCE REGULATING PROPANE TANKS WITHIN THE CITY OF ST. FRANCIS, KANSAS, AND ESTABLISHING ARTICLE 14 OF CHAPTER 4 OF THE CODE OF THE CITY OF ST. FRANCIS, KANSAS.

**WHEREAS**, it is in the public's best interest to regulate the use, location and size of propane tanks within its corporate limits.

**NOW, THEREFORE, THE GOVERNING BODY IN AND FOR THE CITY OF ST. FRANCIS, KANSAS, HEREBY ADOPTS AND ESTABLISHES REGULATIONS FOR THE USE, LOCATION AND SIZE OF PROPANE TANKS WITHIN THE CITY LIMITS:**

**ARTICLE 14. PROPANE TANKS**

4-1401. **PURPOSE.** This article is established for the safety and protection of the residents of St. Francis, Kansas. It is also designed to mitigate the potential threat imposed by the installation of LP Gas within the city.

4-1402. **SCOPE.** This article regulates: (a) The installation of LP Gas within the City.  
(b) Propane storage containers 125 to 250 gallons in size; and  
(c) Propane storage containers less than 125 gallons in size.

**Propane tanks with a capacity greater than 250 gallons are prohibited.**

4-1403. **PROPANE TANKS.** The storage of LP Gas in closed containers or portable tanks (hereinafter tanks) on properties within the St. Francis City Limits shall comply with the following standards:

(a) Containers between 125 to 250 gallons in size:

(1) Containers. LP Gas tanks shall fully comply with all DOT/ICC or ASME standards.

(2) Signage. All tanks shall be painted and clearly marked "FLAMMABLE" and either "LP-GAS", "LPG", "PROPANE" or "BUTANE" in at least 3 inch red letters. Also, the owner's name, address and phone number displayed in at least 1 inch black letters.

(3) Location. **Tanks must be located outside**, in the back yard or rear section of the home or business and at least 10 feet away from the owner's home, business, or permanent structures (i.e. garage, shed, etc.). Containers must be positioned at least 10 feet off of any street or alley and located no closer than 25 feet from another LP-Gas container on an adjacent property. Containers must be located at least 25 feet from a neighbor's permanent structures in all directions. Where physical damage to LP-Gas containers or systems of which they are a part from vehicles is possible, precautions should be taken against such damage.

(4) Foundation. Tanks shall rest on either a concrete or substantial masonry support foundation. The foundation must be level. The owner must provide sufficient corrosion protection between the container and its saddle.

(5) Maintenance/Appearance. The owner shall properly maintain the tank and assure its safe operation. The tank shall be painted with a matte silver or flat white finish. The owner shall keep the ground below the container clear of dry grass and weeds.

(6) Pipe, Hose and Valves. All pipes and connections shall be tested and proven free of leaks by a qualified City Employee prior to use by the owner. Pipes and connections shall comply with Schedule 40 Standards (for psi below 125). Pipes and connections shall comply with Schedule 80 Standards (for psi above 125). Galvanized pipe shall not be used. All hose and quick connectors shall be listed for LP-Gas use. Pressure relief valves, shut-off valves and back-flow valves shall be listed for such use. All liquid lines 1.5 inch or larger and vapor lines 1.25 inch or larger shall have an emergency shutoff valve.

(7) Depth of pipelines. All pipelines running between any permanent structure and the tank shall be buried underground to a minimum depth of eighteen (18") inches.

(8) City Notification. Prior to the installation of any LP-Gas tank on any property, the owner must contact the City Office, complete and submit a New LP-Gas Installation Application and pay a LP-Gas Permit Fee of \$25.00.

(9) Inspection. After installation and prior to its use the owner must notify the City and have the installation inspected by a qualified city employee.

(10) Pre-Existing Tanks. Any LP-Gas tanks in existence prior to the passage of this ordinance shall be required to meet the above standards within 6 months subsequent to the passage of this ordinance. For containers larger than 250 gallons the owner must apply for a variance to this Ordinance. The \$25 application fee will NOT be charged for pre-existing containers.

(b) Containers less than 125 gallons in size. All of the above standards are applicable with the exception of the following (Note: Tanks that are 30 gallons or smaller and commonly used with barbecue grills and campers/RV's fall under this category. Please note their exceptions below):

(1) City Notification. The owner is NOT required to submit a New LP-Gas Installation Application or pay an LP-Gas Permit Fee of \$25.00 for containers of 30 gallons or less.

(2) Signage. It is not necessary for the owner to list their name, address and phone number on tanks less than 125 gallons in size. Tanks 30 gallons or less in size need not be labeled "FLAMMABLE" or "LP-GAS", "LPG", "PROPANE" or "BUTANE".

(3) Location. There is no minimum distance that a tank can be mounted or placed alongside a home's permanent structure(s). However, the tank must be a minimum of 10 feet from an intake, vent or A/C compressor and a minimum distance of 5 feet from a crawl space opening, window or exhaust fan (see container spacing diagram).

(4) Container Foundation. Containers of 30 gallons storage capacity or less are not required to be set on a concrete or steel foundation. However, they must be set on a stable, level foundation.

(5) Depth of pipelines. It is not necessary to bury pipelines, if the distance between the tank and the permanent home structure is two (2) feet or less or if the tank is placed on a mobile barbecue grill cart.

14-1404.                    PROHIBITED LOCATIONS.                    No propane tank shall be located within the Fire Limits of the City as established by Article 1 of Chapter 4 of the City Code of the City of St. Francis, Kansas.

14-1405.                    VIOLATIONS.                    A violation of this ordinance is a class B misdemeanor.

This Article 4-1401 through 4-1405, of the St. Francis City Code as established, shall take effect and be enforced from and after its publication in the official city newspaper, The St. Francis Herald.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 21<sup>ST</sup>  
DAY OF MARCH, 2006.

/s/                    SCOTT SCHULTZ, Mayor  
City of St. Francis, Kansas

Attest:

/s/                    MARY P. LAMPE, City Clerk