

ORDINANCE NO. 1052 (2023/2024)

**AN ORDINANCE AMENDING CHAPTER 41 (PUBLIC HEALTH AND SAFETY)
OF THE CITY CODE BY ADDING LANGUAGE PERTAINING TO STORAGE TANKS**

BE IT ENACTED by the City Council of the City of Nevada, Iowa, as follows:

SECTION 1. SECTION MODIFIED. Chapter 41 (Public Health and Safety), Section 41.17 (Leaking Storage Tanks), Section 41.18 (Abandoned Storage Tanks), and Section 41.19 (Tanks Temporarily Out of Order) is hereby amended by adding:

41.17 - Leaking storage tanks.

If underground tanks for the storage of flammable or combustible liquid are found to be leaking, the chief of the fire department shall be notified at once. The chief shall have the authority to order the immediate removal of the tanks from the ground and the moving of the tanks to a safe location. The excavation from which the tanks are removed shall be left open until the chief of the fire department shall determine that it is safe to refill the excavation.

41.18 - Abandoned storage tanks.

The abandonment of any underground storage tank used for the storage of flammable or combustible liquids shall be regulated and controlled by the requirements and provisions of the International Fire Code, specifically Section 5704.2.13, except that all abandoned underground storage tanks shall be removed and the hole filled. The removal of above-ground and underground tanks shall comply with Section 5704.2.14.1. The chief of the fire department shall direct and supervise the removal of abandoned underground storage tanks.

41.19 - Tanks temporarily out of service.

Any underground tank used for storage of flammable or combustible liquids, temporarily out of service, shall be pumped empty of product, and input and output openings shall be properly sealed and the tank shall be properly vented. If any such tank is not so sealed and vented within ten days after having been temporarily taken out of service, it shall be deemed abandoned. The chief of the fire department shall be notified when the tanks are to be emptied and sealed, and such shall be done with his supervision and approval.

SECTION 2. REPEALER. All ordinances or parts or ordinances in conflict with the provisions of this ordinance are hereby repealed.

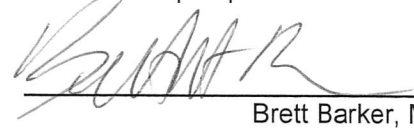
SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

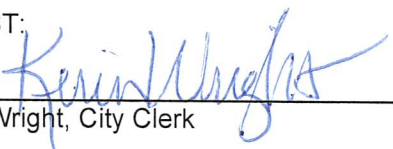
Passed and approved 1st Reading on this 12th day of February, 2024.

Passed and approved 2nd Reading on this 26th day of February, 2024.

Passed and approved 3rd and Final Reading on this 11th day of March, 2024. Enacted upon publication


Brett Barker, Mayor

ATTEST:


Kerin Wright, City Clerk

1st Reading – February 12, 2024

Motion by Council Member Dane Neilson, seconded by Council Member Steve Skaggs, to adopt the first reading of Ordinance No. 1052 (2023/2024).

AYES: Neilson, Skaggs, Ehrig, Corbin, Sampson
NAYS: None
ABSENT: None

2nd Reading – February 26, 2024

Motion by Council Member Dane Neilson, seconded Council Member by Henry Corbin, to adopt the second reading of Ordinance No. 1052 (2023/2024).

AYES: Neilson, Corbin, Sampson, Skaggs
NAYS: None
ABSENT: Ehrig

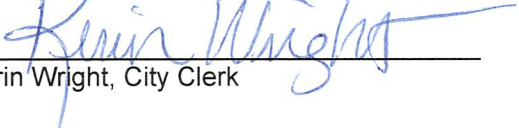
3rd Reading – March 11, 2024

Motion by Council Member Dane Neilson, seconded by Council Member Jason Sampson, to adopt the third and final reading of Ordinance No. 1052 (2023/2024).

AYES: Neilson, Sampson, Ehrig, Corbin
NAYS: None
ABSENT: None

The Mayor declared Ordinance No. 1052 (2023/2024) adopted.

I certify that the foregoing was published as Ordinance No. 1052 (2023/2024) on the 28th day of March, 2024.



Kerin Wright, City Clerk

LOCALIQ

Ames Tribune

PO Box 631851 Cincinnati, OH 45263-1851

PROOF OF PUBLICATION

CITY CLERK'S OFFICE
City Of Nevada
1209 6Th ST

Nevada IA 50201-1536

STATE OF WISCONSIN, COUNTY OF BROWN

The Nevada Journal, a weekly newspaper printed and published at Ames, Story County, Iowa, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspaper in the issues dated:

03/28/2024

and that the fees charged are legal.

Sworn to and subscribed before on 03/28/2024

Legal Clerk

Notary, State of WI/ County of Brown

My commission expires

Publication Cost: \$56.40

Order No: 9974451

of Copies:

Customer No: 842186

0

PO #: LIOW0075830

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

AMY KOKOTT
Notary Public
State of Wisconsin

ORDINANCE NO. 1052 (2023/2024)
**AN ORDINANCE AMENDING CHAPTER 41 (PUBLIC HEALTH AND SAFETY)
OF THE CITY CODE BY ADDING LANGUAGE PERTAINING TO STORAGE TANKS**

BE IT ENACTED by the City Council of the City of Nevada, Iowa, as follows:
SECTION 1. SECTION MODIFIED. Chapter 41 (Public Health and Safety), Section 41.17 (Leaking Storage Tanks), Section 41.18 (Abandoned Storage Tanks), and Section 41.19 (Tanks Temporarily Out of Order) is hereby amended by adding:

41.17 - Leaking storage tanks: If underground tanks for the storage of flammable or combustible liquid are found to be leaking, the chief of the fire department shall be notified at once. The chief shall have the authority to order the immediate removal of the tanks from the ground and the moving of the tanks to a safe location. The excavation from which the tanks are removed shall be left open until the chief of the fire department shall determine that it is safe to refill the excavation.

41.18 - Abandoned storage tanks: The abandonment of any underground storage tank used for the storage of flammable or combustible liquids shall be regulated and controlled by the requirements and provisions of the International Fire Code, specifically Section 5704.2.13, except that all abandoned underground storage tanks shall be removed and the hole filled. The removal of above-ground and underground tanks shall comply with Section 5704.2.14.1. The chief of the fire department shall direct and supervise the removal of abandoned underground storage tanks.

41.19 - Tanks temporarily out of service: Any underground tank used for storage of flammable or combustible liquids, temporarily out of service, shall be pumped empty of product, and input and output openings shall be properly sealed and the tank shall be properly vented. If any such tank is not so sealed and vented within ten days after having been temporarily taken out of service, it shall be deemed abandoned. The chief of the fire department shall be notified when the tanks are to be emptied and sealed, and such shall be done with his supervision and approval.

SECTION 2. REPEALER. All ordinances or parts or ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved 1st Reading on this 12th day of February, 2024.

Passed and approved 2nd Reading on this 26th day of February, 2024.

Passed and approved 3rd and Final Reading on this 11th day of March, 2024.

Enacted upon publication

Publication Dates

L00000000