

**FRIDLEY CITY CODE**  
**CHAPTER 13. GASOLINE SALES**  
(Ref. 17, 111, 197, 450)

13.01. DEFINITIONS

The following definitions shall apply in the interpretation and application of this Chapter and the following words and terms, wherever they occur in this Chapter, are defined as follows:

1. Premium gasoline.

When not otherwise determined by federal or state authority, shall mean any gasoline having not less than a research octane value of 97.0 as determined by test procedure D-908-56 of the American Society for Testing Materials. (Ref. 111).

2. Regular gasoline.

Any gasoline having not less than a research octane of 88.0 as determined by test procedure D-980-56 of the American Society for Testing Materials.

3. Advertise.

The offering for sale or selling to the general public, by advertisement, whether oral, written, printed or visual, or in any manner whatsoever of gasoline as herein defined.

13.02. ADVERTISING OF GASOLINE

No person shall advertise for sale to the public, or sell to the public, any gasoline as premium or high grade or high test or described by any similar term intended to convey the impression that such gasoline is premium quality or use the term ethyl in any gasoline advertisement in such a manner as to indicate that the gasoline is of premium quality unless such gasoline has the octane value set forth above for premium gasoline.

13.03. SALES AS ADVERTISED

No person shall advertise for sale to the public, or sell to the public, gasoline as regular or high test regular or high octane or high grade regular or under any other similar name unless such gasoline shall conform to the standards set forth in Section 13.01.

13.04. MISREPRESENTATION

Each sale and each misrepresentation as to octane specification as herein defined shall constitute a separate offense.

### 13.05. LICENSE REQUIRED, FEE

No gasoline pump shall be erected, placed, kept or maintained in any location whatsoever within the City of Fridley without a license therefore having been obtained from the Council by the owner or proprietor thereof. The annual license fee and expiration date shall be as provided in Chapter 11 of this Code. (Ref. 17, 450)

### 13.06. COUNCIL ACTION

Upon the receipt of any application for the erection, placement, keeping or maintaining of any gasoline pump or any building or structure in which such gasoline pump is to be housed, or in connection with which any gasoline pump is to be used, and before granting or issuing therefore a permit or license, the Council shall determine the effect of such erection, placement, keeping or maintaining upon public health, safety or the general welfare; and whenever the Council shall determine and find that such erection, placement, keeping or maintaining, of such gasoline pump, or the building or structure in which the same is housed or is to be housed, or in connection with which the same is to be used, is detrimental to public health, safety and the general welfare, that then the Council shall deny the issuance of such license or permit as is applied for. In making a determination whether or not the erection, placement, keeping or maintaining of any such gasoline pump, or the erection or construction of a building or structure in which the same is housed or to be housed, or in connection with which such pump is to be used, is detrimental to the public health, safety, and the general welfare, the Council may consider the nature of the land upon which the same is located or to be located, the nature of adjoining land, or buildings, fire hazards created thereby, the effect upon traffic into and from the premises, or on any adjoining roads, whether or not such a pump or building or similar structure is already in existence and located on the same premises or on other lands immediately close by, and all such other or further factors as the Council shall deem requisite of consideration in determining the effect of such installation or construction on public health, safety and general welfare. (Ref. 197)

### 13.07. PUBLIC NUISANCE

Whenever the Council shall find that a gasoline pump has previously been erected, placed, kept or maintained in any location, and that such erection, placement, keeping or maintaining has caused, or tends to cause a public nuisance, whether the same be by reason of danger of fire, traffic safety-wise, unsanitary conditions on the premises, or other factors injurious to public health, safety and the general welfare, that then the Council may withhold the granting of a further license or permit required therefore, with respect to any premises upon which the same are located until such nuisance or threatened nuisance be corrected or abated, as the case may be, or the Council may issue the same upon condition that any such nuisance be corrected and abated and cease to exist within such a reasonable period of time as the Council shall state.

### 13.08. PENALTIES

Any violation of this Chapter is a misdemeanor and is subject to all penalties provided for such violations under the provisions of Chapter 901 of this Code.