



NEW YORK STATE DEPARTMENT OF STATE

Division of Code Enforcement and Administration

Phone : (518) 474-4073

www.dos.state.ny.us

Fax : (518) 486-4487

E-mail: info@dos.state.ny.us

TECHNICAL BULLETIN

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Source Document: 19NYCRR 1225 - *Fire Code of New York State (FCNYS)*

Topic: Gasoline Dispenser at one-family dwelling

This document is to provide information regarding a portable gasoline dispenser with a pump, located and refilled at a one-family dwelling. Various portions of FCNYS chapters 22, 27 and 34 are applicable.

Chapter 27, Hazardous Materials, section 2702 defines the term portable tank as a packaging of more than 60-gallon (227 L) capacity and designed primarily to be loaded into or on or temporarily attached to a transport vehicle or ship and equipped with skids, mounting or accessories to facilitate handling of the tank by mechanical means. It does not include any cylinder having less than a 1,000-pound water capacity, cargo tank, tank car tank or trailers carrying cylinders of more than 1,000-pound water capacity. Gasoline is a Class IB flammable liquid. Chapter 22, Service Stations and Repair Garages, section 2202 defines the term automotive service station, as that portion of property where flammable or combustible liquids or gases used as motor fuels are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles. This definition makes the one-family dwelling with the gasoline dispenser an automotive service station because section 2201.1 states in part ... such **operations** shall include both public accessible and **private** operations. Note that the definition, and chapter 22 does not apply to a building, but rather to the use of the property.

FCNYS section 2206, flammable and combustible liquids, section 2206.2.5, entitled portable tanks, states:

Where approved by the code enforcement official, portable tanks are allowed to be temporarily used in conjunction with the dispensing of Class I, II or IIIA liquids into the fuel tanks of motor vehicles or motorized equipment on premises not normally accessible to the public. The approval shall include a definite time limit.

Ronald E. Piester, AIA, Director
Division of Code Enforcement and Administration