

**LOCAL GOVERNMENT ORDINANCE 1961
(No. 11 of 1961)**

**PENAMPANG DISTRICT COUNCIL
(SALE OF PETROL) BY-LAWS 1978
(G.N.L 48 of 1978)**

In exercise of the powers conferred upon it by section 50 of the Local Government Ordinance 1961, the Kota Kinabalu Rural District Council has made the following by-laws:

Title and commencement.

1. These by-laws may be cited as the Penampang District Council (Sale of Petrol) By-laws 1978 and shall commence operation on the 1st day of October 1978.

Sale from pump.

2. No petrol may be sold to the public except from a pump with an underground storage tank unless permission to use other means has been obtained from the Council.

Conditions.

3. Every owner or lesser of a petrol pump or other means of selling petrol to the public shall ensure that —
 - (a) no smoking or naked lights are permitted on the premises within the immediate vicinity of the installation at any time, that all vehicle engines are switched off when filling is being carried out and that notices to this effect in Malay, Chinese and English are prominently displayed;

- (b) when the filling of the storage tank is being carried out proper bonding is made from the drum or tanker to the tank, using armoured hose screwed on to the drum or tanker and on to the tank by means of brass or bronze adaptor; the area is cordoned by rope or other barrier to a distance of at least five feet outside the perimeter of the installation; no unauthorised persons or vehicles are allowed inside the cordoned area; a notice is displayed in Malay, Chinese and English as warning to the public e.g. "DANGER-FILLING IN PROGRESS" and when filling from drum no other drums than that in use is allowed near the tank;
- (c) immediately on completion of filling, all empty drums are removed to an approved dump;
- (d) no mechanical repairs of any vehicles are carried out in the immediate vicinity of the filling point.

Fire extinguishers.

4. Every owner or lessee of a petroleum installation shall comply with the written instructions of the O.C.P.D., Kota Kinabalu and the Fire Services Department in respect of fire safety.

Bulk storage installation.

5. (1) Every owner or lessee of any bulk storage installation for petroleum shall keep such firefighting equipment as the O.C.P.D. Kota Kinabalu and the Fire Services Department may require, to be available at the installation for immediate use.

(2) Any owner or lessee of any petroleum installation shall not allow petroleum from such installation to flow to waste except through a trap of an approved design.

Construction of installation.

6. Every installation constructed and licensed for the sale of petroleum by retail to the public shall, after these By-laws come into force, be of permanent materials, and where an underground storage tank is filled from drums, shall have a ramp which will enable such

drums to be unloaded from any vehicle without danger. Such ramp shall be of a design approved by the Council.

Transport of drums.

7. Every driver of any vehicle carrying drums of petrol to a petrol pump shall be responsible for ensuring that the vehicle carries goods.

Duration of licence.

8. The annual fee for a licence to use a premises shall be eighty ringgit.

Penalty.

9. Any person who contravenes any of the provisions of these By-laws shall be guilty of an offence and shall be liable to a fine of not more than five hundred ringgit, or two weeks imprisonment in default of payment.

Repeal.

10. Part VII of the Kota Kinabalu Town Board (General) By-laws 1956 [G.N.S. 29/56.] made applicable to the Kota Kinabalu Rural District Council under G.N. No. S 69 of 1958 is hereby repealed.

Dated at Penampang this 13th day of June 1978.

FREDERICK TAN,
Chairman,
Kota Kinabalu Rural District Council.

I approve the foregoing By-laws.

Dated at Kota Kinabalu this 29th day of August 1978.

JOSEPH PAIRIN KITINGAN,
Minister of Local Government and Housing.

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