



City of West Allis

Legislation Details (With Text)

File #: O-2012-0035 **Version:** 2

Type: Ordinance **Status:** Disapproved

File created: 9/18/2012 **In control:** Safety and Development Committee (INACTIVE)

On agenda: 11/20/2012 **Final action:** 11/20/2012

Title: Ordinance to Create Section 9.35 of the City of West Allis Revised Municipal Code Requiring Prepayment for All Fuel at Commercial Gas Stations.

Sponsors: Safety and Development Committee (INACTIVE)

Indexes:

Code sections:

Attachments: 1. Gas Drive-Offs.pdf

Date	Ver.	Action By	Action	Result
11/20/2012	2	License and Health Committee (INACTIVE)		
11/20/2012	2	Safety and Development Committee (INACTIVE)		
11/20/2012	2	Common Council	Denied	Pass
11/20/2012	2	Safety and Development Committee (INACTIVE)		Pass
11/20/2012	2	License and Health Committee (INACTIVE)		Pass
10/2/2012	2	Common Council	Reconsidered	Pass
10/2/2012	2	Common Council		
9/18/2012	1	Common Council		
9/18/2012	1	Common Council	Passed	Pass
9/18/2012	1	Safety and Development Committee (INACTIVE)		Pass

Ordinance to Create Section 9.35 of the City of West Allis Revised Municipal Code Requiring Prepayment for All Fuel at Commercial Gas Stations.

The Common Council of the City of West Allis does ordain as follows:

PART I. Section 9.35 of the Revised Municipal Code is hereby created to read as follows:

Section 9.35 PREPAYMENT FOR FUEL

(1) Purpose. The purpose of this section is to lower the number of drive-off fuel thefts in the City of West Allis and reduce the burden of investigating these crimes on the Police Department.

(2) Definitions. For the purpose of this section, the following definitions apply:

(a) "Fuel" means gasoline, diesel fuel, ethanol or any combination thereof.

(b) "Fuel station" means any service station, garage, or other place where fuel is sold at retail or offered for retail.

(c) "Pre-payment" means payment in advance for any quantity of fuel sold at any time by cash, credit card, debit card, check, or any other legal means. Using a valid credit or debit card that is authorized at the pump or by an employee of the fuel station immediately prior to the time of fuel purchase shall be considered a valid pre-payment.

(d) "Pre-approval" means the fuel station has issued an identification card to the purchaser that verifies and records the purchaser's driver's license information.

(3) Prohibited Conduct. No fuel station owner, manager/supervisor, or employee shall:

(a) Activate any gasoline or diesel fuel pumping device prior to receiving pre-payment in full for the fuel or granting pre-approval for the sale; or,

(b) Allow or permit any person to dispense fuel from a pumping device at a fuel station unless the person has first made pre-payment in full or received pre-approval from the fuel station.

(4) Penalty. Failure or refusal to comply with this section may be the basis for non-renewal of a business license. The West Allis Police Department will not investigate any theft involving fuel where pre-payment was not required unless force, threat of force, or fraud was involved.

PART II. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby amended.

PART III. This ordinance shall take effect and be in force from and after its passage and publication.

ATTO-Create 9.35 PrepayGasStations