

Bill 16 - 06

ORDINANCE NO. _____

AN ORDINANCE PROHIBITING THE LOCATION OF BULK CRUDE OIL STORAGE AND HANDLING FACILITIES IN THE CITY OF ABERDEEN, AMENDING 17.56.010 OF THE ABERDEEN MUNICIPAL CODE AND ADDING A NEW SECTION 17.56.075.

WHEREAS, the city council, having considered the report of the Planning Commission and the findings in support of the moratorium adopted in Resolution 2015-09; **NOW, THEREFORE**,

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ABERDEEN:

SECTION 1. CODE SECTION AMENDED. Ordinance 6026, in part, codified as AMC 17.56.010, is hereby amended to read as follows:

17.56.010 Purpose. This chapter contains supplementary regulations applicable to all zoning districts by providing for the location and control of certain accessory uses and structures and general prohibitions applicable to all zoning districts.

SECTION 2. NEW CODE SECTION ADOPTED. The following Section 17.56.075 "Storage of Crude Oil Prohibited" is hereby added to the Aberdeen Municipal Code:

A. Bulk crude oil storage and handling facilities shall not be located within the city limits of Aberdeen.

B. "Bulk crude oil storage and handling facility" means any structure, group of structures, equipment, or device that stores or transfers crude oil. The term does not include facilities that store and handle finished products derived from petroleum.

C. "Crude oil", "Crude", and "Crude Petroleum" mean any naturally occurring liquid petroleum extracted from geological formations beneath the earth's surface which require further refinement before consumer use, including conventional crude oil, heavy oil, extra heavy oil, tight oil, light tight oil, and oil sands/bitumen. The terms include material with USDOT placard numbers 1267 and 1288. The terms do not include biofuel.

SECTION 3. SEVERABILITY. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation be declared

unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any other person or situation.

SECTION 4. PUBLICATION BY SUMMARY. The Finance Director is authorized and directed to publish the attached summary in lieu of this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance is hereby declared and designated a public emergency ordinance necessary for the protection of public health and safety and for the protection of public property and shall be effective immediately upon its adoption.

PASSED and APPROVED this ____ day of _____, 2016.

Erik Larson, Mayor

ATTESTED:

Sandy Mullin, Acting Finance Director