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ORDINANCE NO. 1116 AN ORDINANCE OF THE CITY OF TORRANCE REPEALING CHAPTER 19 OF THE CODE OF THE CITY OF TORRANCE, ENTITLED "OIL CODE AND SUBSTITUTING NEW PROVISIONS RELATING TO THE SAME, INCLUDING THE REQUIREMENT OF A LICENSE WITH OR WITHOUT THE ERECTION OF A DERRICK OR ERECT DERRICKS, AND THE ERECTION, MAINTENANCE AND REMOVAL OF DERRICKS; PROHIBITING OIL WELL SITES; AND ESTABLISHING SAFETY MEASURES FOR DERRICKS AND OIL WELL SITES.

The City Council of the City of Torrance does ordain as follows:

SECTION 1. It is the intent of this City Council in enacting Articles IV and V of this Ordinance to repeal the provisions of the Ordinance in its entirety and to substitute the following provisions:

SECTION 2. Chapter 19 of the Code of the City of Torrance, known as the "Oil Code," is hereby repealed in its entirety and the following provisions are substituted therefor:

"CHAPTER 19 OIL CODE

Article I. Definitions

Section 19.1. Derrick. "Derrick" means any structure or facility placed over an oil well for the purpose of lowering or raising pipe, casing, tubing or other drilling and producing equipment into or out of such oil well.

Section 19.2. Drill. "Drill" means to sink, bore or otherwise create a hole in the earth, whether or not the same is completed as a well, or to work upon any well to assist in such drilling, but does not include any operations performed in or in connection with such well from and after the completion thereof as a producing well.

Section 19.3. Oil Well. "Oil well" means any bore, hole or well which is drilled, sunk or otherwise created in the earth, whether or not the same is completed as a well, or to work upon any well to assist in such drilling, but does not include any operations performed in or in connection with such well from and after the completion thereof as a producing well.

Section 19.4. Sump. "Sump" means any excavation used or intended to be used for the purpose of storing of hydrocarbon, aqueous saline or other production of an oil well.

Section 19.5. License. "License" means the authority granted by the City of Torrance to a person to drill, operate or maintain an oil well, or any portion thereof, in or upon any real property in the City of Torrance.

Section 19.6. License required. No person shall drill, cause to be drilled, operate or maintain any oil well, or erect or cause to be erected any derrick, without having first obtained a license therefor from the license inspector.

Section 19.7. Drilling according to license. No person shall drill any oil well, or erect or cause to be erected any derrick, except as provided in such license.

Section 19.8. Application. Before issuing a license, the license inspector shall require of the applicant:

(a) The payment of the license tax, as required by section 19.24 of this Code.

(b) The execution of an application for a business license as required by section 16.09 of this Code.

(c) A map or plat of the real property on which the well is to be located.

(d) A statement from the planning director that such use is not in violation of the zoning laws of the city.

(e) A city building permit or a statement from the director of public works that such permit is unnecessary.

(f) Such other information as the license inspector deems necessary or proper.

Section 19.9. License tax. (a) A license for the year of the applicant shall be paid for initially drilling any oil well hole.

(b) A license tax of \$125.00 shall be paid for each deepening of an oil well hole.

(c) In addition, an annual license tax of \$24.00 shall be paid for every oil well hole, whether producing or not.

Section 19.10. Conditions of license. Before issuing a license, in the cases where in the opinion of the license inspector the conduct of the proposed operations may constitute or create a hazard to life or property, or be materially detrimental to property, the license inspector may send the license application to the license review board.

The license review board may impose such conditions thereon, in addition to those otherwise provided herein, as are reasonably necessary to prevent the proposed operations from being conducted in such a manner as to constitute or create a hazard to life or property, or be materially detrimental to property. The applicant may appeal the decision of the license review board and the imposition of any such conditions to the city council pursuant to the provisions contained in section 1.30 of this Code.

Section 19.11. Revocation or suspension of license. The license may be revoked or suspended in the same manner and for the same reasons as provided for the revocation or suspension of licenses by the provisions of article IX of chapter 16 of this Code.

Section 19.12. Bond required. Except as provided in this chapter, no license for the erection of any derrick or the drilling of any oil well shall be issued by the license inspector or be valid or effective for any purpose, unless at the time of such issuance there is on file with the license inspector and in full force and effect, in a form approved by the city attorney, a cash bond or surety bond covering such derrick or the drilling of such oil well hole. Such bond shall name the city as obligee and shall be executed by the applicant as principal, and except for a cash bond, as surety by a corporation authorized to act as surety pursuant to the laws of the state.

Section 19.13. Conditions of the bond shall be:

(a) That the city be indemnified against any claims or liability resulting from the operation or use of the land and equipment for which the license was issued.

(b) That upon cessation of operations or abandonment, the property be left in the same condition as when the license was issued, and all derrick, other equipment and sumps be removed.

(c) That the licensee comply with all the laws of the city and all other applicable laws.

(d) That the licensee comply with all the terms and conditions of the license to the reasonable satisfaction of the license inspector.

(e) Such other conditions as the city attorney shall reasonably require incidental to the foregoing conditions.

Section 19.14. Amount of bond. The amount of bond shall be one thousand dollars for each derrick or well drilled, or for the erection of the derrick, and five hundred dollars for three or more derricks or wells.

Section 19.15. Termination of bond. The bond shall be terminated:

(a) Upon the licensee's filing with the license inspector a substitute bond in the principal sum required by section 19.14 hereof.

(b) Upon the licensee's filing with the license inspector a request for release of the bond showing an abandonment of all operations for which the license was issued, or upon the release of such licensee, provided that all the conditions of the bond have been complied with to the reasonable satisfaction of the license inspector and the city council.

Section 19.16. Notice of Abandonment. Before abandoning any oil well hole, the licensee shall give written notice of intention to abandon to the license inspector at the same time such notice is furnished to the State Division of Oil and Gas, or at least ten days prior to the abandonment, whichever is the first of such events to occur.

Section 19.17. Drilling outside district. No person shall erect any derrick or drill any oil well hole at any place in the city except within the boundaries of the district or districts entitled "Oil Well Drilling District, August 1, 1955" on file in the office of the city clerk, which is hereby incorporated by such reference into this Code and made a part hereof.

Section 19.18. Drilling into city property. No person shall drill any oil well hole upon any land in which the city has any right, title or interest without first obtaining the written consent of the city council therefor.

Section 19.19. Drilling near street. No person shall drill any oil well hole the surface of which is within one hundred feet from the property line of any street, alley or public way.

Section 19.20. Drilling near existing well. No person shall drill any oil well hole the surface of which is within one hundred feet from any existing oil well hole as shown on the Oil Well Drilling Map as published by the State Division of Oil and Gas, unless an exception therefor has been granted by the planning commission.

(b) Any owner of land, oil and gas lease or other interest having the right to drill for oil and gas thereon may apply for such exception. Such application shall include such information as is prescribed by the planning commission. It shall be filed with the planning director and shall be accompanied by a fee of thirty-five dollars to cover the cost of publication and the processing of the application. The planning commission shall hold a hearing on such application at such time and place as it may determine. Notice of the hearing shall be published at least five days prior to the date of the hearing in the newspaper having the contract for the publication of the city's legal notices.

(2) The planning commission, after notice and hearing as aforesaid, shall grant such exception whenever, in its reasonable judgment, drilling at the location proposed by the applicant is necessary to effect the drainage of oil and gas from the land of the applicant. The applicant shall have the burden of proving such drainage.

Section 19.21. Drilling near school or hospital. No person shall drill any oil well hole the surface of which is within three hundred feet of any school or hospital.

Section 19.22. Drilling near property line or dwellings. No person shall drill any oil well hole the surface of which is within twenty-five feet from any property line or within one hundred feet from any existing dwelling. Where two or more contiguous parcels of land are operated as one unit, the outermost boundary lines of such parcels shall be considered as the property line for the purpose of this section.

Section 19.23. Operation time. (a) No person shall carry on any oil well drilling or re-drilling operations, other than circulation of mud, between the hours of 10:00 o'clock p.m. and 6:00 o'clock a.m., unless the derrick and accessory structures have been sound proofed by an acoustic blanket as provided in subsection (b) of this section, and all doors and similar openings are kept closed except for ingress and egress; provided, however, that the provisions of this subsection (a) shall not apply to any well, the surface of which is three hundred or more feet from any dwelling.

(b) Acoustical blankets for the drilling derrick and accessory structures shall be made of fibrous glass insulation 1 1/2" thick, 0.50 pounds per cubic foot, density, .068 pounds per square foot weight, .0010 to .0015 fiber diameter (inches) with a phenolic binder having a temperature limit of 400 degrees, sewed between layers of fire retardant vinyl fiber glass cloth, 15-17 ounces per square yard sewed with dacron thread D-92 with stitches not more than 6 to the inch. The lacing cord shall be flat vinyl coated, tan, composed of fibrous glass yarn braided, heat set and bonded. The tape shall have a 90 pound tensile strength. Grommets shall be #4 brass. Provided, however, that there may be substituted for the aforesaid specifications an acoustical blanket which in the opinion of the superintendent of building inspection is equal in sound-proofing ability and fire resistive qualities to the aforesaid specifications.

Section 19.24. Trucking time. No person shall transport any crude oil or brine by truck from any oil well production site between the hours of 10:00 p.m. and 6:00 o'clock a.m.; provided, however, that the provisions of this section shall not apply to any oil well production site which is located three hundred or more feet from a dwelling.

Section 19.25. Application of article. Notwithstanding any other provisions of sections 19.40, 19.42, 19.43, 19.44 and 19.45 shall not apply to any oil well hole which has been drilled to a depth of one thousand feet or more, or which is producing oil or gas on or after July 16, 1959.

Section 19.26. Derrick standards. All derricks shall be maintained free from latent structural defects and free from any patent defects which might render such derrick a hazard to life or property.

Section 19.27. Steel construction required. All derricks hereafter constructed shall be of steel and shall meet the standards for steel derricks as prescribed in American Petroleum Institute Specifications for Steel Derricks, fifteenth edition, a copy of which is on file in the office of the city clerk, which is hereby incorporated by such reference into this Code and made a part hereof.

Section 19.28. Removal of derricks. All derricks placed on production shall be removed from any drill site within sixty days after the oil well drilled thereon is placed on production.

Section 19.29. Muffing exhaust. The outlets from every exhaust of any engine or boiler used in connection with any oil well, well hole, derrick, or production equipment, shall be connected to an exhaust and muffler box of approved type or design.

Section 19.30. Removal of derricks. All derricks, except those erected and used in compliance with the provisions of section 19.28, shall be dismantled on or before July 1, 1961.

Section 19.31. Name plates. Every oil derrick shall have on it a legible sign not less than twelve by twenty-four inches, with the name, address and telephone number of the owner, and the operator if different from the owner, and the number of the lease and the number of the well printed thereon.

Section 19.32. Lights on derricks. Lights shall be installed and used during nighttime drilling on each and every derrick and at other times whenever necessary for adequate lighting.

Section 19.33. Enclosing derricks. Whenever it shall be necessary, in order to protect any property or persons thereon, the director of public works may order and require that any derrick erected be sufficiently enclosed with galvanized iron, or other suitable substitute so as to prevent the escape onto public or private property, or persons thereon, of any oil, gas, mud, water, steam or other gases, fluids or substances from said well, and the licensee for such well shall, within twenty-four hours after service upon him of notice of such order of said director of public works, make, or cause to be made, such enclosure.

The outlets from every exhaust of any engine or boiler used in connection with any oil well, well hole, derrick, or production equipment, shall be connected to an exhaust and muffler box of approved type or design.

No person owning or operating, having possession or control of any oil well site, shall conduct or permit any oil well operations thereon unless such site shall be completely enclosed by a masonry wall or by a chain link fence with a maximum mesh of two inches and with a minimum thickness of sixteen gauge, and which wall or fence shall be at least six feet in height, and if equipped with gates, unless such gates shall be securely fastened except when being used for access to the site. A single continuous fence may be used to enclose more than one well.

Section 19.35. Sumps. (a) On or after August 1, 1959, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump is located, or any sump used in connection with the operation of any oil well; provided, however, that the provisions of this subsection (a) shall not apply to portable sumps required by the State Division of Oil and Gas or by the Regional Water Pollution Control Board.

(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

Section 3. Any provision of the Torrance City Code, or appendices thereto, inconsistent herewith, to the extent of

apply to any oil well production site which is located three hundred or more feet from a dwelling.

Section 19.48. Application of article. Notwithstanding any other provisions of sections 19.40, 19.42, 19.43, 19.44 and 19.45 shall not apply to any oil well hole which has been drilled to a depth of one thousand feet or more, or which is producing oil or gas on or after July 16, 1959.

Section 19.50. Derrick standards. All derricks shall be maintained free from latent structural defects and free from any patent defects which might render such derrick a hazard to life or property.

Section 19.51. Steel construction required. All derricks hereafter constructed shall be of steel and shall meet the standards for steel derricks as prescribed in American Petroleum Institute Specifications for Steel Derricks, fifteenth edition, a copy of which is on file in the office of the city clerk, which is hereby incorporated by such reference into this Code and made a part hereof.

Section 19.52. Removal of derricks. All derricks placed on production shall be removed from any drill site within sixty days after the oil well drilled thereon is placed on production.

Section 19.53. Muffing exhaust. The outlets from every exhaust of any engine or boiler used in connection with any oil well, well hole, derrick, or production equipment, shall be connected to an exhaust and muffler box of approved type or design.

Section 19.54. Removal of derricks. All derricks, except those erected and used in compliance with the provisions of section 19.53, shall be dismantled on or before July 1, 1961.

Section 19.55. Name plates. Every oil derrick shall have on it a legible sign not less than twelve by twenty-four inches, with the name, address and telephone number of the owner, and the operator if different from the owner, and the number of the lease and the number of the well printed thereon.

Section 19.56. Lights on derricks. Lights shall be installed and used during nighttime drilling on each and every derrick and at other times whenever necessary for adequate lighting.

Section 19.57. Enclosing derricks. Whenever it shall be necessary, in order to protect any property or persons thereon, the director of public works may order and require that any derrick erected be sufficiently enclosed with galvanized iron, or other suitable substitute so as to prevent the escape onto public or private property, or persons thereon, of any oil, gas, mud, water, steam or other gases, fluids or substances from said well, and the licensee for such well shall, within twenty-four hours after service upon him of notice of such order of said director of public works, make, or cause to be made, such enclosure.

The outlets from every exhaust of any engine or boiler used in connection with any oil well, well hole, derrick, or production equipment, shall be connected to an exhaust and muffler box of approved type or design.

No person owning or operating, having possession or control of any oil well site, shall conduct or permit any oil well operations thereon unless such site shall be completely enclosed by a masonry wall or by a chain link fence with a maximum mesh of two inches and with a minimum thickness of sixteen gauge, and which wall or fence shall be at least six feet in height, and if equipped with gates, unless such gates shall be securely fastened except when being used for access to the site. A single continuous fence may be used to enclose more than one well.

Section 19.65. Sumps. (a) On or after August 1, 1959, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump is located, or any sump used in connection with the operation of any oil well; provided, however, that the provisions of this subsection (a) shall not apply to portable sumps required by the State Division of Oil and Gas or by the Regional Water Pollution Control Board.

(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

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Every oil derrick shall have on it a legible sign not less than twelve by twenty-four inches, with the name, address and telephone number of the owner, and the operator if different from the owner, and the number of the lease and the number of the well printed thereon.

Section 19.60. Lights on derricks. Lights shall be installed and used during nighttime drilling on each and every derrick and at other times whenever necessary for adequate lighting.

Section 19.61. Enclosing derricks. Whenever it shall be necessary, in order to protect any property or persons thereon, the director of public works may order and require that any derrick erected be sufficiently enclosed with galvanized iron, or other suitable substitute so as to prevent the escape onto public or private property, or persons thereon, of any oil, gas, mud, water, steam or other gases, fluids or substances from said well, and the licensee for such well shall, within twenty-four hours after service upon him of notice of such order of said director of public works, make, or cause to be made, such enclosure.

The outlets from every exhaust of any engine or boiler used in connection with any oil well, well hole, derrick, or production equipment, shall be connected to an exhaust and muffler box of approved type or design.

No person owning or operating, having possession or control of any oil well site, shall conduct or permit any oil well operations thereon unless such site shall be completely enclosed by a masonry wall or by a chain link fence with a maximum mesh of two inches and with a minimum thickness of sixteen gauge, and which wall or fence shall be at least six feet in height, and if equipped with gates, unless such gates shall be securely fastened except when being used for access to the site. A single continuous fence may be used to enclose more than one well.

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(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

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(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

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Section 19.67. Sumps. (a) On or after August 1, 1959, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump is located, or any sump used in connection with the operation of any oil well; provided, however, that the provisions of this subsection (a) shall not apply to portable sumps required by the State Division of Oil and Gas or by the Regional Water Pollution Control Board.

(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

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Section 19.68. Sumps. (a) On or after August 1, 1959, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump is located, or any sump used in connection with the operation of any oil well; provided, however, that the provisions of this subsection (a) shall not apply to portable sumps required by the State Division of Oil and Gas or by the Regional Water Pollution Control Board.

(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

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Section 19.69. Sumps. (a) On or after August 1, 1959, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump is located, or any sump used in connection with the operation of any oil well; provided, however, that the provisions of this subsection (a) shall not apply to portable sumps required by the State Division of Oil and Gas or by the Regional Water Pollution Control Board.

(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

Section 3. Any provision of the Torrance City Code, or appendices thereto, inconsistent herewith, to the extent of

Section 19.70. Sumps. (a) On or after August 1, 1959, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump is located, or any sump used in connection with the operation of any oil well; provided, however, that the provisions of this subsection (a) shall not apply to portable sumps required by the State Division of Oil and Gas or by the Regional Water Pollution Control Board.

(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

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Section 19.71. Sumps. (a) On or after August 1, 1959, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump is located, or any sump used in connection with the operation of any oil well; provided, however, that the provisions of this subsection (a) shall not apply to portable sumps required by the State Division of Oil and Gas or by the Regional Water Pollution Control Board.

(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

Section 3. Any provision of the Torrance City Code, or appendices thereto, inconsistent herewith, to the extent of

Section 19.72. Sumps. (a) On or after August 1, 1959, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump is located, or any sump used in connection with the operation of any oil well; provided, however, that the provisions of this subsection (a) shall not apply to portable sumps required by the State Division of Oil and Gas or by the Regional Water Pollution Control Board.

(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

Section 3. Any provision of the Torrance City Code, or appendices thereto, inconsistent herewith, to the extent of

Section 19.73. Sumps. (a) On or after August 1, 1959, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump is located, or any sump used in connection with the operation of any oil well; provided, however, that the provisions of this subsection (a) shall not apply to portable sumps required by the State Division of Oil and Gas or by the Regional Water Pollution Control Board.

(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

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Section 19.74. Sumps. (a) On or after August 1, 1959, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump is located, or any sump used in connection with the operation of any oil well; provided, however, that the provisions of this subsection (a) shall not apply to portable sumps required by the State Division of Oil and Gas or by the Regional Water Pollution Control Board.

(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

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Section 19.75. Sumps. (a) On or after August 1, 1959, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump is located, or any sump used in connection with the operation of any oil well; provided, however, that the provisions of this subsection (a) shall not apply to portable sumps required by the State Division of Oil and Gas or by the Regional Water Pollution Control Board.

(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

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Section 19.76. Sumps. (a) On or after August 1, 1959, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump is located, or any sump used in connection with the operation of any oil well; provided, however, that the provisions of this subsection (a) shall not apply to portable sumps required by the State Division of Oil and Gas or by the Regional Water Pollution Control Board.

(b) On or after January 1, 1960, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump has been located, or any property on which has been located a sump used in connection with the operation of any oil well, unless such sump has been drained and filled with water to the level of the surrounding terrain.

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Section 19.78. Sumps. (a) On or after August 1, 1959, no person shall own or operate, or have possession of, or be in control of any oil well site on which a sump is located, or any sump used in connection with the operation of any oil well; provided, however, that the provisions of this subsection (a) shall not apply to portable sumps required by the State Division of Oil and Gas or by the Regional Water Pollution Control Board.