

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
Net Fiscal Impact	**	_____	_____	_____	_____

ADDITIONAL FTE
 POSITIONS (Cumulative) _____
 Is Item Included In Current Budget? Yes _____ No _____

Budget Account Exp No: Fund _____ Department _____ Unit _____ Object _____
 Rev No: Fund _____ Department _____ Unit _____ Object _____


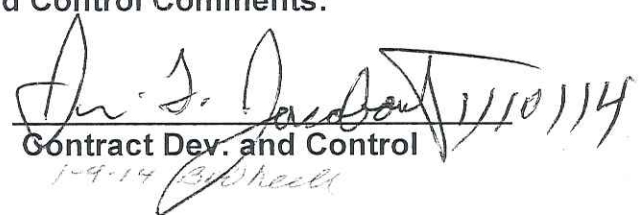
B. Recommended Sources of Funds/Summary of Fiscal Impact:

**Although the proposed amendments to the ordinance include a provision for a \$250 fine for the first violation and a \$500 fine for a repeat violation, the fiscal impact is indeterminable at this time.

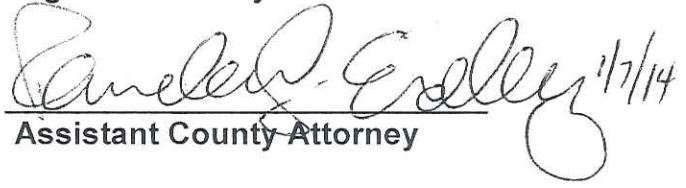
C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

 _____ OFMB 1/8/14	 _____ Contract Dev. and Control 1-9-14
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B. Legal Sufficiency:



 Assistant County Attorney

C. Other Department Review:

 Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

1 Every person that engages in the retail sales of motor vehicle fuel to the general public shall
2 prominently and continuously display signs on the premises according to Standard I or Standard

3 II and Standard III:

4 (1) Standard I:

- 5
6 a. At least one (1) sign shall be displayed which is a minimum of ten (10) square feet
7 and a maximum of fifteen (15) square feet on its usable face.
8 b. The sign shall be prominently placed and readable by motorists traveling on the
9 abutting streets.
10 c. The sign shall clearly indicate the types of motor vehicle fuel available for sale (i.e.,
11 leaded, unleaded, diesel, gasohol, etc.) in full or abbreviated form.
12 d. The sign shall indicate the ~~minimum~~maximum retail price per gallon, or other unit, to
13 the nearest tenth of a cent inclusive of all taxes, in numerals at least six (6) inches
14 tall, for each kind of motor vehicle fuel available for sale. If prices are indicated in
15 units other than "price/U.S. gallon," the unit must be indicated in lettering not less
16 than three (3) inches tall.
17 e. If the prices displayed are for self-service or other limited type of service, the sign
18 must clearly indicate the type of service.
19 f. All fuels and services displayed on the signs must be available at the posted prices.
20

21 (2) Standard II:

- 22
23 a. Pump topper signs placed on the top of each pump.
24 b. The signs must be placed so they are easily readable by motorists traveling on the
25 abutting streets.
26 c. The sign shall indicate the ~~minimum~~maximum retail price per gallon, or other unit, to
27 the nearest tenth of a cent inclusive of all taxes, in numerals at least six (6) inches tall
28 for the motor vehicle fuels available at that pump. If prices are indicated in units other
29 than "price/U.S. gallon," the unit must be indicated in lettering not less than three (3)
30 inches tall.
31 d. If the prices posted are for self-service or other limited type of service, the sign must
32 clearly indicate the type of service.
33 e. All fuels and types of service displayed on the signs must be available at the posted
34 prices.
35 f. Either the sign, or the pump it is attached to, must indicate the type of fuel available
36 at that pump (i.e., leaded, unleaded, diesel, gasohol, etc.) in full or abbreviated form,
37 easily readable from the abutting streets.
38

39 (3) Standard III:

- 40 a. Any conditions of sale to obtain motor vehicle fuel for a discounted cash price
41 shall be prominently displayed in lettering at least six (6) inches tall, for each
42 kind of motor vehicle fuel available for sale on the sign as a "cash only" price.
43 The "cash only" designation shall be positioned adjacent to the discounted price
44 for each type of motor vehicle fuel sold at the discounted price.
45 b. The size of the discounted price sign shall conform to the requirements in
46 Standards I and II (at least six (6) inches tall). Such sign shall be clearly visible
47 and legible to motorists of approaching motor vehicles on the abutting streets, and
48 shall be illuminated in a manner that makes the sign visible at night to a person of
49 average visual acuity.

1 c. The sign(s) shall be kept free from vegetation or other obstructions that may block
2 the view of the advertised price on the sign from the adjacent street or roadway or
3 otherwise camouflage the motor fuel pricing.

4 d. Any person engaging in the retail sales of motor vehicle fuel found to be in
5 violation of this Section of the Palm Beach Code shall be required to pay to Palm
6 Beach County a civil penalty of Two Hundred Fifty Dollars (\$250.00) for the first
7 violation and Five Hundred Dollars (\$500.00) for each repeat violation.

8 **Section 2. Repeal of laws in conflict.**

9
10 All local laws and ordinances applying to the unincorporated area of Palm Beach County in
11 conflict with any provision of this article are hereby repealed to the extent of any conflict.

12 **Section 3. Scope of Ordinance.**

13
14 This Ordinance shall be applicable in both the unincorporated and incorporated areas of Palm
15 Beach County, except that it shall not apply in any municipality that has adopted and maintains
16 in effect ordinances or regulations governing the same matters.

17
18 **Section 4. Savings clause.**

19
20 Notwithstanding the section of this Ordinance regarding the repeal of laws in conflict, all
21 administrative and court orders, fines, and pending enforcement issued pursuant to this authority
22 and procedures established by Chapter 17, Article I, Section 17-2, of the Palm Beach County
23 Code, shall remain in full force and effect.

24
25 **Section 5. Severability.**

26
27 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason
28 held by the Court to be unconstitutional, inoperative or void, it is the intent of the Board of
29 County Commissioners that such holding shall not affect the remainder of this Ordinance.

30
31 **Section 6. Inclusion in the a Code of Laws and Ordinances.**

32
33 The provisions of this Ordinance shall become and be made a part of the code of laws and
34 ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered
35 or re-lettered to accomplish such, and the word "ordinance" may be changed to "section,"
36 "article," or any other appropriate word.

37
38 **Section 7. Captions.**

39
40 The captions, section headings, and section designations used in this Ordinance are for

1 convenience only and shall have no effect on the interpretation of the provisions of this
2 Ordinance.

3
4 **Section 8. Effective Date**

5
6 The provisions of this Ordinance shall become effective upon filing with the Department of
7 State.

8 APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach
9 County, Florida, on this the ____ day of _____, 2014.

10

11 **SHARON R. BOCK, CLERK**

**PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS**

12

13

14

15

16

By: _____
Deputy Clerk

By: _____
Priscilla A. Taylor, Mayor

17

18

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24

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By: _____
County Attorney

25

26

27

28

29

EFFECTIVE DATE: Filed with the Department of State on the ____ day of
_____, 2014.

1 (1) Standard I:

- 2
- 3 a. At least one (1) sign shall be displayed which is a minimum of ten (10) square feet
- 4 and a maximum of fifteen (15) square feet on its usable face.
- 5 b. The sign shall be prominently placed and readable by motorists traveling on the
- 6 abutting streets.
- 7 c. The sign shall clearly indicate the types of motor vehicle fuel available for sale (i.e.,
- 8 leaded, unleaded, diesel, gasohol, etc.) in full or abbreviated form.
- 9 d. The sign shall indicate the maximum retail price per gallon, or other unit, to the
- 10 nearest tenth of a cent inclusive of all taxes, in numerals at least six (6) inches tall, for
- 11 each kind of motor vehicle fuel available for sale. If prices are indicated in units other
- 12 than "price/U.S. gallon," the unit must be indicated in lettering not less than three (3)
- 13 inches tall.
- 14 e. If the prices displayed are for self-service or other limited type of service, the sign
- 15 must clearly indicate the type of service.
- 16 f. All fuels and services displayed on the signs must be available at the posted prices.

17 2) Standard II:

- 18 a. Pump topper signs placed on the top of each pump.
- 19 b. The signs must be placed so they are easily readable by motorists traveling on the
- 20 abutting streets.
- 21 c. The sign shall indicate the maximum retail price per gallon, or other unit, to the
- 22 nearest tenth of a cent inclusive of all taxes, in numerals at least six (6) inches tall for
- 23 the motor vehicle fuels available at that pump. If prices are indicated in units other
- 24 than "price/U.S. gallon," the unit must be indicated in lettering not less than three (3)
- 25 inches tall.
- 26 d. If the prices posted are for self-service or other limited type of service, the sign must
- 27 clearly indicate the type of service.
- 28 e. All fuels and types of service displayed on the signs must be available at the posted
- 29 prices.
- 30 f. Either the sign, or the pump it is attached to, must indicate the type of fuel available
- 31 at that pump (i.e., leaded, unleaded, diesel, gasohol, etc.) in full or abbreviated form,
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3 be prominently displayed in lettering at least six (6) inches tall, for each kind of
4 motor vehicle fuel available for sale on the sign as a "cash only" price. The "cash
5 only" designation shall be positioned adjacent to the discounted price for each type of
6 motor vehicle fuel sold at the discounted price.
- 7 b. The size of the discounted price sign shall conform to the requirements in Standards I
8 and II (at least six (6) inches tall). Such sign shall be clearly visible and legible to
9 motorists of approaching motor vehicles on the abutting streets, and shall be
10 illuminated in a manner that makes the sign visible at night to a person of average
11 visual acuity.
- 12 c. The sign(s) shall be kept free from vegetation or other obstructions that may block the
13 view of the advertised price on the sign from the adjacent street or roadway or
14 otherwise camouflage the motor fuel pricing.
- 15 d. Any person engaging in the retail sales of motor vehicle fuel found to be in violation
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17 County a civil penalty of Two Hundred Fifty Dollars (\$250.00) for the first violation
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16 Ordinance.

17 **Section 8. Effective Date**

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20 State.

21 APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach
22 County, Florida, on this the ____ day of _____, 2014.

24 **SHARON R. BOCK, CLERK**

**PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS**

25
26
27
28
29 By: _____
30 Deputy Clerk

By: _____
Priscilla A. Taylor, Mayor

31
32
33 **APPROVED AS TO FORM AND
34 LEGAL SUFFICIENCY**

35
36
37 By: _____
38 County Attorney

39
40 EFFECTIVE DATE: Filed with the Department of State on the ____ day of
41 _____, 2014.