

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2023 Legislative Session

Bill No. CB-044-2023

Chapter No. 49

Proposed and Presented by Council Members Burroughs, Oriadha, Blegay, Dernoga, Olson

Introduced by Council Members Burroughs, Oriadha, Blegay, Dernoga, Olson, Ivey,
Watson, Franklin and Hawkins

Co-Sponsors Council Members Fisher and Harrison

Date of Introduction July 18, 2023

BILL

1 AN ACT concerning

2 Gas Station Credit Price Signage

3 For the purpose of requiring gas stations to display the credit card price on their signs.

4 BY repealing and reenacting with amendments:

5 SUBTITLE 5. BUSINESSES AND LICENSES.

6 Sections 5-2501, 5-2505

7 The Prince George's County Code

8 (2019 Edition; 2022 Supplement).

9 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
10 Maryland, that Sections 5-2501 and 5-2505 of the Prince George's County Code be and the same
11 are hereby repealed and reenacted with the following amendments:

12 SUBTITLE 5. BUSINESSES AND LICENSES.

13 DIVISION 25. CONVENIENCE STORES AND GAS STATIONS.

14 **Sec. 5-2501. Definitions and Scope of Legislation.**

15 (a) The following words, as used in this Division, shall for the purpose of this Division,
16 have the meanings respectively ascribed to them in this Section:

17 (1) **Business Regulation Article** shall mean the Business Regulation Article of the
18 Annotated Code of Maryland.

19 ([1]2) **Convenience store** shall mean any food or beverage store that is 15,000 square
20 feet or less, that is open for business anytime from 11:00 p.m. to 6:00 a.m. that provides retail

1 sales of food, beverages, and sundries primarily for home consumption, and may include food
2 or beverage preparation. Convenience store does not include a Department or Variety Store
3 that provides incidental sales of candy, gum and similar non-refrigerated items at a check-out
4 counter, or in a standard vending machine.

5 (3) Credit Price shall mean the total amount, including any fees, payable to a gas
6 station by a customer using a credit card or other non-cash form of payment, for one whole
7 measurement unit of regular gasoline sold on the premises.

8 ([2]4) **Gas Station** shall mean a building or lot having pumps and storage tanks,
9 where the primary use is the retail sale of motor vehicle fuels. Vehicle related services may be
10 offered incidental to the primary use.

11 ([3]5) **Police Department** shall mean the Prince George's County Police
12 Department.

13 ([4]6) **Police Chief** shall mean the Chief of the Prince George's County Police
14 Department.

15 ([5]7) **Police Officer** shall mean a sworn member of the Prince George's County
16 Police Department.

17 * * * * *

18 **Sec. 5-2505. Visibility and Signage.**

19 (a) All convenience stores and gas stations shall maintain an unobstructed line of sight
20 allowing a clear view of and from the cash register and sales area. Windows and doors shall be
21 clear of all items that would obstruct a clear view from three feet above the ground to at least
22 six feet above the ground.

23 * * * * *

24 (c) All gas stations shall comply with Section 10-315 of the Business Regulation Article.

25 (d) If the gas station posts a sign under Section 10-315(e) of the Business Regulation
26 Article, include within the sign, additional pricing information required under subsection (e) of
27 this Section.

28 (e) A sign posted by a gas station under Section 10-315(e)(2) of the Business Regulation
29 Article must also include, clearly and visibly, the highest credit price.

1 **Sec. 5-2506. Grace Period and Noncompliance.**

2 [(a) Convenience stores and gas stations in operation prior to the effective date of this
3 legislation shall have twelve (12) months from the effective date of the legislation to complete
4 all requirements of this legislation. The two (2) surveillance cameras required pursuant
5 to Section 5-2503 to be placed above the cash registers and in view of the public entrance
6 should be installed within twelve (12) months from the effective date of the legislation and
7 produce a minimum of forty (40) pixels per foot. The third surveillance camera to view the
8 exterior parking lot should be installed within thirty-six (36) months from the effective date of
9 the legislation and produce a minimum of sixty (60) pixels per foot.]

10 ([b]a) Convenience stores and gas stations that [remain noncompliant after the grace
11 period] violate any provision of Division 25 shall be charged a civil monetary fine of One
12 Hundred Dollars (\$100.00) for the first offense, Two Hundred Fifty Dollars (\$250.00) for the
13 second offense, Five Hundred Dollars (\$500.00) for the third offense, and One Thousand
14 Dollars (\$1,000.00) for [the fourth] every subsequent offense every calendar year.

15 ([c]b) The Director of the Department of Permitting, Inspections, and Enforcement
16 may suspend or revoke the use and occupancy permit of a convenience store or gas station for
17 multiple violations after the fourth offense pursuant to Subsection ([b]a) in two (2) or more
18 consecutive calendar years.

19 ([d]c) An appeal from any decision, ruling, or order issued under the provisions of this
20 Division may be made to the Board of Appeals within ten (10) days after the decision, ruling
21 or order. A notice of appeal shall be filed with the Director of Permitting, Inspections, and
22 Enforcement, directed to the Board, specifying the grounds and relief sought.

23 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
24 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
25 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
26 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
27 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
28 Act, since the same would have been enacted without the incorporation in this Act of any such
29 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
30 or section.

1 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
2 calendar days after it becomes law.

Adopted this 6th day of September , 2023.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Thomas E. Dernoga
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

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