

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2012 Legislative Session**

Bill No. CB-93-2012

Chapter No. \_\_\_\_\_

Proposed and Presented by Council Members Olson and Franklin

Introduced by Council Members Olson, Franklin, Davis, Lehman, Patterson and Toles

Co-Sponsors \_\_\_\_\_

Date of Introduction October 23, 2012

**BILL**

1 AN ACT concerning

2 Convenience Stores and Gas Stations - Public Safety

3 For the purpose of decreasing robberies in the County by enhancing convenience store and gas  
4 station safety; registering convenience stores and gas stations; requiring training of convenience  
5 store employees and gas station employees; providing for security; providing for cash  
6 management; providing for visibility and signage; and providing for a grace period and for  
7 noncompliance; and generally relating to convenience store and gas station safety.

8 BY adding:

9 SUBTITLE 5. BUSINESSES AND LICENSES.

10 Sections 5-2500, 5-2501, 5-2502, 5-2503, 5-2504,  
11 5-2505, and 5-2506,

12 The Prince George's County Code  
13 (2011 Edition).

14 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
15 Maryland, that Sections 5-2500, 5-2501, 5-2502, 5-2503, 5-2504, 5-2505, and 5-2506,  
16 of the Prince George's County Code be and the same are hereby added:

17 **SUBTITLE 5. BUSINESSES AND LICENSES.**

18 **DIVISION 25. [RESERVED.] CONVENIENCE STORES AND GAS STATIONS.**

19 **Sec. 5-2500. Legislative Intent.**

20 (a) The purpose and intent of this legislation is to improve public safety and reduce  
21 commercial crime by strengthening safety standards at convenience stores and gas stations. This

1 legislation establishes reasonable and uniform laws to promote the health, safety, and welfare  
 2 of the citizens and residents of the County. The provisions of this law are in response to violent  
 3 crimes taking place in or in close proximity to convenience stores and gas stations throughout  
 4 the County.

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

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

8 (1) Convenience store shall mean any food or beverage store that is 15,000 square  
 9 feet or less, that is open for business anytime from 11:00 p.m. to 6:00 a.m. that provides retail  
 10 sales of food, beverages, and sundries primarily for home consumption, and may include food or  
 11 beverage preparation. Convenience store does not include a Department or Variety Store that  
 12 provides incidental sales of candy, gum and similar non-refrigerated items at a check-out  
 13 counter, or in a standard vending machine.

14 (2) Gas Station shall mean a building or lot having pumps and storage tanks, where  
 15 the primary use is the retail sale of motor vehicle fuels. Vehicle related services may be offered  
 16 incidental to the primary use.

17 (3) Police Department shall mean the Prince George's County Police Department.

18 (4) Police Chief shall mean the Chief of the Prince George's County Police  
 19 Department.

20 (5) Police Officer shall mean a sworn member of the Prince George's County Police  
 21 Department.

22 (b) This legislation applies to convenience stores and gas stations that are open for  
 23 business anytime from 11:00 p.m. to 6:00 a.m.

24 **Sec. 5-2502. Registration and Training.**

25 (a) A convenience store owner or gas station owner of a sole proprietorship shall register  
 26 with the Department of Environmental Resources. If a convenience store or gas station is  
 27 privately owned by multiple individuals, each party shall register with the Department of  
 28 Environmental Resources. If a convenience store or gas station is owned by a corporation, the  
 29 registered agent of the owner shall register with the Department of Environmental Resources.  
 30 Any change in ownership shall be updated with the Department of Environmental Resources by  
 31 the end of the 30<sup>th</sup> day after the effective date of new ownership. All registration shall be

1 completed by January 1, 2014. As a condition of a use and occupancy permit or continuation of  
2 a use and occupancy permit, all registration for a convenience store or gas station is required.

3 (b) A convenience store manager and gas station manager shall register with the  
4 Department of Environmental Resources. If the store is managed by an agency, the agency must  
5 register with the Department of Environmental Resources. Any change in management shall be  
6 updated with the Department of Environmental Resources by the end of the 30<sup>th</sup> day after the  
7 date of hire by ownership.

8 (c) Each new employee shall complete a safety training program as designated by the  
9 Director of the Department of Environmental Resources before their first workday. Training, as  
10 designated by the Director of the Department on Environmental Resources, shall include, but not  
11 be limited to, drop safe, cash handling procedures, and what to do in the event of a robbery.

12 (d) Employees hired prior to the effective date of this legislation shall complete safety  
13 training before the end of the 30<sup>th</sup> day after the effective date of this legislation. Training, as  
14 designated by the Director of the Department of Environmental Resources shall include, but not  
15 be limited to, drop safe and cash handling procedures and what to do in the event of a robbery.

16 (e) A convenience store owner or registered agent of the owner shall participate in a  
17 criminal trespass affidavit program as designated by the Director of the Department of  
18 Environmental Resources. A copy of the trespass affidavit shall be posted in a highly visible  
19 location next to a public entrance.

20 **Sec. 5-2503. Security System.**

21 (a) A convenience store owner shall install a surveillance camera system with a minimum  
22 of two highly visible digital, high-resolution color cameras. The security cameras shall be able to  
23 retrieve an identifiable image of an offender .One camera shall be placed above the cash registers  
24 at an angle to identify persons and one in view of the public entrance. Stores shall record 24  
25 hours a day and motion sensing cameras shall record when activated. Recordings shall be  
26 retained for at least 30 days, even if a store is closed. An exception shall be made for natural  
27 occurrences that would affect camera function. Security cameras shall have an annual test photo  
28 and maintenance log showing maintenance every four months. All security cameras shall be set  
29 to report the actual date and time. Only management shall have access to the cameras.

30 (b) A convenience store owner shall install a drop safe bolted to the floor behind the cash  
31 register or in an adjacent office. Both locations must be in view of a high resolution surveillance

1 camera.

2 (c) A gas station owner without a convenience store shall install a drop safe or establish  
 3 another mechanism to ensure that no more than seventy-five dollars (\$75.00) is in the cash  
 4 register on the premises anytime between the hours of 11:00 p.m. to 6:00 am.

5 (d) A gas station owner without a convenience store shall install a secured surveillance  
 6 camera system with a minimum of one highly visible digital, high-resolution color cameras  
 7 facing the cash register. Stores shall record 24 hours a day and motion sensing cameras shall  
 8 record when activated. Recordings shall be retained for at least 30 days, even if a store is closed.  
 9 An exception shall be made for natural occurrences that would affect camera function. Security  
 10 cameras shall have an annual test photo and maintenance log showing maintenance every four  
 11 months. All security cameras shall be set to report the actual date and time. Only management  
 12 shall have access to the cameras.

13 (e) A gas station shall provide window only access if the gas station is open anytime  
 14 between the hours of 11:00 p.m.to 6:00 a.m. and if the gas station currently has window only  
 15 access on-site.

16 **Sec. 5-2504. Cash Management.**

17 (a) As a condition of their use and occupancy permit, convenience stores and gas stations  
 18 cannot keep more than seventy-five dollars (\$75.00) in any cash register on the premises at all  
 19 times between 11:00 p.m. to 6:00 a.m.

20 (b) A written cash management policy [shall be kept on site] that limits cash on hand in the  
 21 convenience store or gas station from 11:00 p.m. to 6:00 a.m. shall be provided to all employees.

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

23 (a) All convenience stores and gas stations shall maintain an unobstructed site line  
 24 allowing clear view of all registers through all windows and public entrances. Windows must be  
 25 clear of all obstructive signage, advertisements, goods for store or stocking, shelves, and tinting.

26 (b) Convenience stores and gas stations shall post highly visible window signs in English  
 27 and Spanish detailing: (1) There is a drop safe in the store; (2) Employees do not have access to  
 28 the safe; (3) There is an active security system on the premises, if applicable; (4) 'No Loitering'  
 29 and 'No Trespassing'; and (5) There is limited cash in cash registers at anytime between the  
 30 hours of 11:00 p.m. and 6:00 a.m.

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

1        (a) Convenience stores in operation prior to the effective date of this legislation shall have  
2 twelve [eighteen] months from the effective date of the legislation to complete all requirements  
3 of this legislation.

4        (b) Convenience stores that remain noncompliant after the grace period shall be charged a  
5 civil monetary fine of Five Hundred Dollars (\$500.00) per each offense.

6        (c) The Director of the Department of Environmental Resources may suspend or revoke  
7 the use and occupancy permit of a convenience store or gas station for multiple violations.

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

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

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2012.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Andrea C. Harrison  
Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Rushern L. Baker, III  
County Executive