

LOCAL LAW No. 10 - 1973

A local law imposing a moratorium on the installation of pumps for the retail sale of gasoline or diesel oil on any site in Erie county.

Became a law with the approval of the county executive, July 18, 1973. Passed by the local legislative body of the county of Erie. Filed in the office of the secretary of state July 23, 1973.

Be it enacted by the legislature of the county of Erie as follows:

Section 1. Findings of fact. The Erie county legislature hereby finds that within the past few years there have been in operation within Erie county approximately one thousand retail outlets for the sale of gasoline and diesel oil, with a diminishing number in urban areas and an increasing number in suburban areas, and that numerous relocations have occurred resulting in the abandonment of numerous retail sites in both urban and suburban areas. Recent data disseminated by the news media indicates a growing shortage in the availability of petroleum and petroleum products, which it is anticipated will lead to an ever-increasing disruption of normal business in related fields, with the result that in the immediate future there is a strong possibility of an even greater abandonment of retail gasoline and diesel oil outlets. The abandoned sites are unsightly, create hazards to health and safety, and

it is in the general welfare of the people of Erie county for the county government to exert regulation for a period of time over the opening of new sites for the retail sale of gasoline and diesel oil.

§ 2. Moratorium. For a period of six (6) months from the effective date of this law, the installation of any pumps for the retail sale of gasoline or diesel oil on any site located in Erie county shall be prohibited, and such prohibition shall be enforceable by an action for an injunction instituted in county court. However, the removal of pumps on any site already in operation for replacement with new pumps, the addition of pumps to a site already being used for the retail sale of gasoline and/or diesel oil, or the reactivation of pumps already on location on an active or previously active site is not prohibited by this local law.

Any contemplated installation of new pumps on a site for which a building permit has been issued up to and including the date on which the Erie county executive signs this local law shall be excluded from the operation of this local law.

§ 3. Effective date. This local law is to be effective immediately.