

COUNTY OF ERIE

LOCAL LAW NO. 6

LOCAL LAW INTRO. NO. 13 (Print 2)

1979

RECEIVED
ERIE COUNTY
LEGISLATURE

JUL 19 12 45 PM '79

A LOCAL LAW relating to the deceptive practices in the retail sale or offering for sale of automotive fuel for private passenger vehicles in Erie County.

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ERIE AS FOLLOWS:

Section 1. Deceptive Practices

It shall be a deceptive practice in the retail sale or offering for sale of automotive fuels for private passenger vehicles, for any person (including any business entity) to:

- (a) Represent falsely that automotive fuel is not for sale;
- (b) Represent falsely that one or more fuel tanks is empty of fuel;
- (c) Display a price per gallon on the fuel pump indicator which differs from the price per gallon posted;
- (d) Represent falsely that there is limitation upon individual purchases;
- (e) Impose any limitation or condition upon the sale of fuel without conspicuously posting a sign at the point of delivery of the fuel, legibly setting forth all limitations and conditions;
- (f) Require the purchase of any other service or product as a condition to the purchase of fuel;
- (g) Require membership in any group, association or club as a condition to the purchase of fuel;
- (h) Sell only to prior customers, or to represent that sales are so restricted.

Section 2. It shall not be a deceptive practice in the retail sale or offering for sale of automotive fuels, to limit the amount of fuel to be sold, provided such limit is applied uniformly.

Section 3. Penalty.

Any person who shall knowingly violate, knowingly conspire to violate, or shall knowingly cause the violation of any provision of this Local Law shall, for the first offense, be guilty of a violation and shall be subject to a fine fixed by the Court not exceeding \$250.00 and/or a term of imprisonment not exceeding fifteen days. For each succeeding offense, such person shall be guilty of a Class A misdemeanor and shall be subject to a fine fixed by the Court not exceeding \$1,000.000 and/or a term of imprisonment not exceeding one year.

Section 4. This Local Law shall be effective throughout the County of Erie, except that it shall not be effective throughout the area of any City or Village, or the area of any Town outside of any Village, during such time as such City, Village or Town is regulating the business regulated by the provisions of this Local Law in the aspects of operations herein prescribed.

Section 5. Effective Date.

This Local Law is to take effect immediately.

RONALD P. BENNETT
18th DISTRICT LEGISLATOR

FISCAL IMPACT:

None

Acknowledged by Secy of State 9/21/79