

Section 8A-4. Gasoline price signs-Requirements generally.

(a)

Every person, partnership, firm, corporation or other legal entity operating a gas station and selling or offering to sell at such gas station any motor vehicle fuels, including, but not limited to, gasoline, gasohol, and diesel motor fuel, shall publicly and continuously display and maintain on the premises of such gas station at least one (1) sign clearly and legibly stating:

(1)

Each kind(s) of motor vehicle fuel(s) available for sale at the particular gas station, in full or abbreviated form;

(2)

The minimum retail price per gallon to the nearest one-tenth (0.1) of a cent, inclusive of all taxes, for each kind of motor vehicle fuel available for sale at the particular gas station;

(3)

Any conditions of sale to obtain the motor vehicle fuel for the price displayed on the sign, e.g., "cash" price, "credit card" price, "self-service" price, "full-service" price, etc.

(b)

All such signs shall conform to the following requirements:

(1)

The kind of motor vehicle fuel shall be positioned on the sign so as to be adjacent to the minimum retail price for the particular kind of motor vehicle fuel;

(2)

The price(s) displayed on the sign(s) shall be the minimum retail price per gallon, inclusive of all taxes, for each kind of motor vehicle fuel available for sale at the particular station;

(3)

Arabic numerals shall be used to express the minimum retail price;

(4)

Letters, arabic numerals, periods, and decimal points on such signs shall be on a solid field;

(5)

The colors of the arabic numerals, decimal points, periods, and letters shall contrast with the field of the sign to provide maximum visibility and legibility and shall be any of the following combinations of colors:

TABLE A

<i>Letters, Arabic Numerals, Decimal Points, Periods</i>		<i>Field</i>
Black	on	Yellow
Yellow	on	Black
Black	on	Orange
Orange	on	Black
White	on	Red
Red	on	White
Black	on	White
White	on	Black
White	on	Green
Green	on	White
White	on	Blue
White	on	Brown
Yellow	on	Blue
Brown	on	Yellow
Blue	on	White

or other contrasting color combinations approved in writing by the County Manager or his designee. Such colors shall conform to the central values and tolerance limits established by the Federal Highway Administration;

(6)

Spaces between and among letters, numbers, decimal points, and borders of the sign(s) shall conform to the standards contained in the latest edition of *Standard Alphabets for Highway Signs*, published by the United States Department of Commerce, Bureau of Public Roads, Office of Highway Safety;

(7)

Such sign(s) shall be displayed on the premises in such a location(s) so that said sign(s) is clearly visible and legible to licensed drivers of approaching motor vehicles on at least one (1) street, avenue, road, or highway abutting one (1) of the entrances to the gas station. The sign may be visible and legible during daylight hours to said drivers from a vantage point(s) on each and all lanes of traffic on the same side of the street, avenue, road, or highway as the gas station at the following minimum distances measured from the gas station entrance which is the closest to approaching motor vehicles on the abutting street, avenue, road, or highway, and from the point on said gas station entrance which is closest to approaching motor vehicles on the abutting street, avenue, road, or highway:

TABLE B

<i>Maximum Legal Speed Limit of Abutting Street, Avenue, Road, or Highway (miles per hour)</i>	<i>Required Minimum Visibility and Legibility Distances (feet)</i>
30 (44 feet per second)	295
35 (51 feet per second)	342
40 (59 feet per second)	395
45 (66 feet per second)	442
50 (74 feet per second)	496
55 (81 feet per second)	543

No such person, partnership, firm, corporation, or other legal entity operating a gas station shall be deemed in violation of the minimum required distances for visibility aforesaid if an object, not on the premises of the particular gas station, obstructs the view of the sign(s) by approaching motor vehicles on the abutting street, road, avenue, or highway;

(8)

Letters and numerals on such signs shall conform to the height, width, and spacing standards for Series C, Series D, or Series E contained in the latest edition of *Standard Alphabets for Highway Signs*, published by the United States Department of Commerce, Bureau of Public Roads, Office of Highway Safety:

TABLE C

REQUIRED LETTER/NUMBER SIZES PER SPEED LIMIT
AND MINIMUM VISIBILITY DISTANCES

Maximum Legal Speed Limit of Abutting Street, Avenue, Road, or Highway (miles per hour)	Required Minimum Visibility and Legibility Distances (feet)	Required Number/Letter Sizes (inches) Series CSeries DSeries E		
30 (44 feet per second)	295	7	6	6
35 (51 feet per second)	342	9	7	6
40 (59 feet per second)	395	10	8	7
45 (66 feet per second)	442	11	9	8
50 (74 feet per second)	496	12	10	9
55 (81 feet per second)	543	13	11	10

TABLE C-1

LETTER/NUMBER SIZE VISIBILITY CHART

Letter Size (inches)	Visibility Distance (feet) Series CSeries D Series E		
4	168	200	232
5	210	250	290
6	252	300	348
7	294	350	406
8	336	400	464
9	378	450	522
10	420	500	580
11	462	550	638
12	504	600	696
13	546	650	754
14	588	700	812

Diagram and example:

[where:]

A is entrance closest to approaching motor vehicles

B is entrance or exit

Q and R are fuel-dispensing devices

X is point on entrance which is closest to approaching motor vehicles

Y is detached point-of-sale sign

Distance between points X and Y is 40 feet

Analysis: If sign Y were located at point X, Series C 12", or Series D 10", or Series E 9" is permissible. If sign Y were at point on diagram 40 feet further from point X, $496' + 40' = 536'$, then Series C 13", or Series D 11", or Series E 10" is permissible.

(9)

Periods and decimal points, if any, on such signs shall be the following diameters in inches:

TABLE D

REQUIRED DIAMETERS FOR
DECIMAL POINTS AND PERIODS

<i>Per-Letter Size for Series C, D or E (inches)</i>	<i>Diameter for Decimal Points and Periods (inches)</i>
6	111/32
7	1$\frac{5}{8}$
8	1$\frac{7}{8}$
9	2$\frac{1}{8}$
10	2$\frac{3}{8}$
11	2$\frac{3}{8}$
12	2$\frac{3}{8}$
13	3

(c)

Every person, partnership, firm, corporation, or other legal entity operating a gas station and selling or offering to sell at such gas station's motor vehicle fuel-dispensing devices any kind of motor vehicle fuel(s) upon a condition(s) of sale or at a price which differs from the condition(s) of sale or the price displayed on the sign required by Section 8A-4(a) and (b) shall be required publicly and continuously to display a supplemental sign on the top of each such motor vehicle fuel-dispensing device which shall conform to the following requirements:

(1)

The supplemental sign shall display the price per gallon to the nearest one-tenth (0.1) of a cent, inclusive of all taxes, for the kind of motor vehicle fuel available for sale at the particular motor vehicle fuel-dispensing device if the price displayed within or upon the motor vehicle fuel-dispensing device differs from the price displayed on the sign required by Section 8A-4(a) and (b).

(2)

The supplemental sign shall display any conditions of sale to obtain the kind of motor vehicle fuel at the particular motor vehicle fuel-dispensing device which differ from the conditions of sale displayed on the sign required by Section 8A-4(a) and (b) for that kind of motor vehicle fuel, e.g., "cash" price, "credit card" price, "self-service" price, "full-service" price, etc.

(3)

The supplemental sign shall be displayed on top of the motor vehicle fuel-dispensing device so that the information on the supplemental sign can be read by the operator of a motor vehicle purchasing that particular kind of motor vehicle fuel on the side of the motor vehicle fuel-dispensing device which displays the availability of that kind of motor vehicle fuel.

(4)

Arabic numerals shall be used to express the price per gallon, if required, and shall be at least three (3) inches in height and one-half ($\frac{1}{2}$) of an inch in width in a color(s) which contrasts with the field of the sign. Periods and decimal points shall be three-quarters of an inch in diameter.

(5)

The field of said sign shall be a solid color.

(6)

Letters on said sign shall be at least one (1) inch in height and one-quarter ($\frac{1}{4}$) of an inch in width in a color(s) which contrasts with the field of the sign. Periods and decimal points shall be at least one-quarter ($\frac{1}{4}$) of an inch in diameter.

(d)

The provisions of Sections 8A-4 and 8A-4.1 shall be supplemental to the requirements of Section 8A-81 of the Code of Miami-Dade County, Florida, and Section 5F-1.04 of the Florida Administrative Code.

(e)

Municipal sign ordinances regulating the size, location, style, or content of signs shall prevail in the event of conflict with Sections 8A-4 and 8A-4.1.

(f)

All such signs must comply with the requirements of the *South Florida Building Code*.

(g)

All signs displayed on top of the pump or other motor vehicle fuel-dispensing device shall be exempt from all zoning and permit requirements of this Code.

(h)

All signs displayed as part of a permitted detached point-of-sale sign shall be exempt from all zoning and permit requirements of this Code. However, this provision shall not be construed to authorize any more detached point-of-sale signs than otherwise authorized by this Code.

(i)

The provisions of Sections 8A-4 and 8A-4.1 shall be enforced by the Miami-Dade County Consumer Protection Division in the incorporated and unincorporated areas of Miami-Dade County.

(j)

Violations of this section shall be punishable by a fine not to exceed two hundred and fifty dollars (\$250.00) or by imprisonment in the County Jail for a period not to exceed thirty (30) days or by both. Each day during any portion of which a violation occurs constitutes a separate offense.

(k)

The Director of the Miami-Dade County Consumer Protection Division may institute a civil action in a court of competent jurisdiction to seek injunctive relief to enforce compliance with this section or any lawful order of the Director of the Miami-Dade County Consumer Protection Division to enjoin any violation of this section. The court may award reasonable costs for investigation, enforcement, and litigation to the Director of the Miami-Dade County Consumer Protection Division in any civil action authorized herein.

(l)

Every person, partnership, firm, corporation or other legal entity operating a device dispensing fuel for motorboats at a marina shall publicly and continuously display on the top of each such device dispensing said fuel a sign which shall be visible to motorboat traffic in the water and which shall conform to the following requirements:

(1)

The sign shall clearly and legibly state the kinds of motorboat fuel available for sale at the particular dispensing device and the minimum retail price per gallon to the nearest one-tenth (0.1) of a cent, inclusive of all taxes, for each kind of motorboat

fuel available for sale at the particular dispensing device. Each kind of motorboat fuel shall be positioned on the sign so as to be adjacent to the minimum retail price for the particular kind of motorboat fuel.

(2)

Arabic numerals shall be used to express the minimum retail price per gallon.

(3)

Arabic numerals, letters, periods and decimal points on said signs shall be on a solid field.

(4)

Letters and arabic numerals on said signs shall be at least six (6) inches in height and three-quarters of an inch in width.

(5)

The colors of the arabic numerals, letters, periods and decimal points shall contrast with the field of the sign.

(6)

Periods and decimal points shall be one and eleven-thirty-seconds (111/32) inches in diameter.

(Ord. No. 80-15, § 1, 3-4-80; Ord. No. 80-97, § 1, 9-16-80; Ord. No. 81-8, § 1, 2-3-81; Ord. No. 83-84, § 1, 9-20-83; Ord. No. 83-107, § 1, 11-15-83; Ord. No. 84-38, § 1, 5-15-84)

Sec. 8A-4.1. - Same—Definitions.

(a)

Motor vehicle is defined herein as that term is defined in Florida Statutes, Section 320.01(1), as may be amended from time to time.

(b)

Gas station as used herein as defined as that term is defined in [Section 33-1](#) (51) of the Code of Miami-Dade County, Florida, as may be amended from time to time.

(c)

Kind of motor vehicle fuel shall mean the nature of the fuel; e.g., leaded, regular, unleaded, premium unleaded, premium leaded, super regular, super leaded, super unleaded, gasohol, diesel. "Kind" shall not mean the particular octane rating of the motor vehicle fuel.

(d)

Minimum retail price shall mean the lowest retail price for a particular kind of motor vehicle fuel actually available for sale to the public at the particular gas station; e.g., lowest available premium unleaded, lowest available regular, etc.

(Ord. No. 80-15, § 2, 3-4-80)