An Act directing the Commissioner of the Department of Planning and Natural Resources to impose a five-year moratorium throughout the Virgin Islands on the issuance of all permits for the construction and operation of gasoline stations

PROPOSED BY: Senators Janelle K. Sarauw, Kenneth L. Gittens and Marvin A. Blyden

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Except as otherwise provided in section 2, for the purposes of carrying out the mandate under section 2 of Act No. 8427, the Commissioner of the Department of Planning and Natural Resources upon the effective date of this act shall impose a five-year moratorium throughout the Virgin Islands on the issuance of all permits for the construction and operation of gasoline stations, notwithstanding the authority to issue such permits under 29 V.I.C. § 294.

SECTION 2. Section 1 does not apply where the proposed gasoline station is to be constructed on a site previously occupied by a former gasoline station.
BILL SUMMARY

Section 1 directs the Commissioner of Planning and Natural Resources to impose a five-year moratorium for the issuance of all permits for gasoline stations. Pursuant to section 2 of Act No. 8427, the Department of Planning and Natural Resources is required to conduct a feasibility study before numerical limitations on the licenses from the Department of Licensing & Consumer Affairs for gasoline stations are imposed, and report the findings from the study to the Legislature not less than six months before the numerical limitation goes into effect. The imposition of a moratorium would allow the Department of Planning and Natural Resources sufficient time to conduct the study before a numerical limitation on licenses is imposed in the next five years. Moreover, Planning and Natural Resources’ five-year moratorium is needed to be consistent with the five-year moratorium on issuing business licenses.

Section 2 excludes from the moratorium building permits for gasoline stations to be built on property where there had been a former gasoline station. This is consistent with the provision in Act No. 8427 for exclusion from Licensing and Consumer Affairs’ moratorium for business licenses for gasoline stations on property where there had been a former gasoline station.

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