DUTCHESS COUNTY
DEPARTMENT OF BEHAVIORAL & COMMUNITY HEALTH
Division of Weights & Measures
98 Peach Road, Poughkeepsie, NY 12601
Tel: (845) 486-2949 Fax: (845) 486-2947
weightsandmeasures@dutchessny.gov

ITEM PRICING REQUIREMENT WAIVER

LOCAL LAW NO. 2 of 2017

Store Name:		Store Number:
Store Address:		
City:	State:	Zip:
Store Mailing Address:		
City:	State:	Zip:
Store Contact Name:		Phone:

If the store is part of a chain, the following information must be provided regarding the parent company:

Company Name:		
Address:		
City:	State:	Zip:
Mailing Address:		
City:	State:	Zip:
Contact Name and Title:		Phone:
Contact E-Mail:		

The granting of this waiver is contingent upon the above store passing a pricing accuracy inspection.

Each application must be accompanied by a non-refundable waiver fee based upon the gross square footage of this store, as set forth below (check the box that applies to the store):

Square Footage of Retail Area	Waiver Fee
□ 0 to 9,999 square feet	$500.00
□ 10,000 to 29,999 square feet	$1,000.00
□ 30,000 to 49,999 square feet	$3,500.00
□ 50,000 to 89,999 square feet	$5,000.00
□ Over 90,000 square feet	$10,000.00

Actual square footage (must be provided):_____
Make check payable to: "Dutchess County Commissioner of Finance"

Each store granted a waiver must agree to and meet the following requirements:

1. The store shall make available a price check scanner(s) to enable consumers to confirm the price of stock keeping items. This price check scanner(s) shall be in location convenient to consumers with signs of sufficient sized lettering to identify the units to the consumers. [Scanner Location with Signage Requirements]
2. The proposed sign and device locations must be submitted to the Commissioner of Behavioral & Community Health, Division of Weights & Measures, for approval prior to granting of the waiver.
3. The number of scanners is dependent on the store's retail area as follows:

Store's Retail Area	**# of Scanners**
Under 3,000 square feet	1
Between 3,001 and 10,000 square feet	2
Between 10,001 and 20,000 square feet	3
Between 20,001 and 30,000 square feet	4
Over 30,001 square feet	5*

*A minimum of five (5) and such additional scanners as the Commissioner of Behavioral & Community Health may deem appropriate.

4. Stores must also have a shelf price for each stock keeping item which is visible to the consumer and which is located directly under the item on the shelf on which the item is displayed.
5. The store shall not charge any consumer a price for any stock keeping item (SKI) that exceeds the item, shelf, sale or advertised price of the SKI.
6. The store shall make prompt payment to consumers who have been overcharged and shall correct all pricing errors identified by consumers.
7. The store shall post, in a conspicuous place, the refund policy of such retail store in the event of an overcharge.
8. The Commissioner of Behavioral & Community Health may revoke an Item Pricing Waiver for any of the following reasons:

   a. Failure to comply with any provision of Local Law No. 2 of 2017;
   b. Deliberate overcharging of any consumer;
   c. Material misrepresentation in the application for a waiver.

I acknowledge that, on behalf of this store:

-I have read and understand Local Law No. 2 of 2017.
-I have read the Law as well as the above requirements and agree to abide by them.
-I declare that the Retail Square Footage as indicated on the application is accurate.

The following signature must be an original signature and not a stamp or photocopy:

Signature of Authorized Representative | Printed Name of Authorized Representative

Title of Authorized Representative | Date