

Prince George's County Council

Agenda Item Summary

Meeting Date: 10/26/2010
Reference No.: CB-070-2010
Draft No.: 2
Proposer(s): Olson
Sponsor(s): Olson, Turner
Item Title: An Act for the purpose of clarifying the definition and general operation of Mobile Units in the Prince George's County Health Code

Drafter: Carmen Jackson-Brown, Legislative Officer
Resource Personnel: Dannielle M. Glaros, Legislative Aide

LEGISLATIVE HISTORY:

Date Presented:	7/13/2010	Executive Action:	11/15/2010 S
Committee Referral:	7/13/2010 - HEHS	Effective Date:	1/3/2011

Committee Action: 9/22/2010 - FAV

Date Introduced: 9/28/2010
Public Hearing: 10/26/2010 - 10:00 AM

Council Action (1) 10/26/2010 - ENACTED
Council Votes: MB:A, WC:A, SHD:A, TD:A, CE:-, AH:-, TK:-, EO:A, IT:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

12-115

COMMITTEE REPORTS:

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE

Date 9/22/2010

Staff explained that CB-70-2010 clarifies the definition and general operation of manually propelled Mobile Units in the Prince George's County Health Code. The sponsor indicated that this bill is a result of a District 1 community meeting where citizens expressed concern with violators of "push" mobile units. While mobile food units are currently required to obtain a license from the Health Department; a Temporary Use Permit from the Department of Environmental Resources (DER) is required to operate in the County. It was further clarified by the DER representative that the Temporary Use Permit is for the event and not the individual mobile unit. The Health Department representative indicated the agency's support of CB-70-2010 explaining that it brings the State Code in conformance with the County Code thereby enhancing the enforcement component.

The Legislative Officer explained that CB-70-2010 aligns the treatment of mobile unit licensing in Subtitle 12 of the County Code; the Health Department regulations, with the existing provisions in Subtitle 5 of the County Code and makes clear that recipients of a Health Department license pursuant to Subtitle 12 still require a business license from DER to operate in the County.

The Office of Law finds it to be in proper legislative form and the Office of Audits and Investigations determined

that enactment of CB-70-2010 will not have a negative or adverse fiscal impact on the County.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

9/28/2010 - Prior to Introduction CB-70-2010 was amended as follows: On page 2; line 26 insert the following: "This section shall not apply to a permittee or licensee operating within a mixed use venue whose core uses include the merchandising of retail, food, beverages and entertainment provided the permittee or licensee has the permission of the property management association." CB-70-2010 (DR-2) was introduced.

CODE INDEX TOPICS:

INCLUSION FILES:
