

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2016 Legislative Session

Bill No. CB-48-2016

Chapter No. 32

Proposed and Presented by Council Member Glaros

Introduced by Council Member Glaros

Co-Sponsors _____

Date of Introduction June 21, 2016

BILL

1 AN ACT concerning

2 Food Truck Hubs—Special Food Service Facility – Mobile Units—Regulations—Licenses
3 For the purpose of amending the regulations in the County Code concerning Food Truck Hubs
4 concerning the hours of operation and license fees for Special Food Service Facility – Mobile
5 Units.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 5. BUSINESSES AND LICENSES.

8 Sections 5-189.03, 5-2803, 5-2804, and 5-2806,

9 The Prince George's County Code

10 (2015 Edition).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
12 Maryland, that Sections 5-189.03, 5-2803, 5-2804, and 5-2806 of the Prince George's County
13 Code be and the same are hereby repealed and reenacted, with the following amendments:

14 **SUBTITLE 5. BUSINESSES AND LICENSES.**

15 **DIVISION 11. MOBILE UNITS—FOOD TRUCK HUBS.**

16 **Sec. 5-189.03. License application.**

17 * * * * *

18 (a) The license application for a Food Truck Hub shall be made by a coordinator and shall
19 include:

20 * * * * *

(4) Schedule of specific operational days and hours , to begin no earlier than 6:00 a.m. and end no later than 9:00 p.m. , unless the applicant provides a letter of support from the municipality or the Prince George's County Economic Development Corporation, as appropriate, as well as a letter signed by the Council Member for the area of the Food Truck Hub authorizing that Food Truck Hub to operate until, but no later than, 12:00 a.m.

DIVISION 28. SPECIAL FOOD SERVICE FACILITIES – MOBILE UNITS.

Sec. 5-2803. License fee; required.

(a) No person shall operate a special food service facility – mobile unit at a Food Truck Hub without first having obtained a special food service facility – mobile unit license from the Department of Permitting, Inspections, and Enforcement.

* * * * *

(d) [The fee for each special food service facility - mobile unit license is Three Hundred Dollars (\$300.00).] There shall be no fee for each special food service facility – mobile unit license.

(e) The Department of Permitting, Inspections, and Enforcement shall make available a thirty (30) day special food service facility - mobile unit license at a fee of \$100 for an applicant who will only operate at a temporary special event, fair, or festival for a limited time.]

Sec. 5-2804. License application.

(a) All applicants for a special food service facility - mobile unit license shall file an application for such license on forms provided by the Department of Permitting, Inspections, and Enforcement. All principal owners shall be named in the application form.

(b) The completed application shall contain, but is not limited to, the following information and shall be accompanied by the following documents:

[(1) If the applicant is:]

[(A) An individual, the individual shall state his or her legal name and any aliases, shall submit their mailing address and residential address, telephone number;]

[(B) A partnership, the partnership shall state its complete name, the names of all partners, the mailing address and residential address of all partners, whether the partnership is general or limited, and a copy of the partnership agreement, if any;]

[(C) A corporation, the corporation shall state its complete name, its mailing address and residential address, information regarding the resident agent, the date of its

1 incorporation, evidence that the corporation is in good standing under the statutes of the State, or
 2 in the case of a foreign corporation, evidence that it is currently authorized to do business in the
 3 State, the names and capacity of all officers, directors and principal owners, and the name of the
 4 registered corporate agent and the address of the registered office for service of process;]

5 [(D) A limited liability company shall state its complete name, its mailing
 6 address and residential address, the names of all managers and members.]

7 [(2) At the time of special food service facility - mobile unit license renewal,
 8 applicants shall submit proof that all applicable operating taxes have been paid for the prior tax
 9 year.] (1) All applicants shall provide a copy of their Federal Employer Identification Number
 10 and evidence of Combined Central Registration with the Maryland Comptroller's Office.

11 [(3) Whether the applicant or any individual listed under subsection (a) of this
 12 Section has worked under, or currently works under, a special food service facility – mobile unit
 13 license under any ordinance from this State, another state, municipality or county which has been
 14 denied, suspended or revoked, including the name and location of the business for which the
 15 special food service facility - mobile unit license was denied, suspended or revoked, as well as
 16 the date of the denial, suspension or revocation.]

17 [(4)] (2) The location of the food truck hub(s) where the special food service facility
 18 - mobile unit license holder intends to operate including the street address and telephone
 19 number(s), if known.

20 [(5)] (3) A description of the type of food offered for sale.

21 [(6)] (4) Description of the vehicle, including a color photograph of the vehicle.

22 [(7)] (5) A copy of the vehicle registration.

23 [(8)] (6) A photocopy of the driver's license or other government issued identification
 24 card for the individuals listed in subsection (a) of this Section.

25 [(9)] (7) The applicant shall provide any and all additional information requested by
 26 the Department of Permitting, Inspections, and Enforcement.

27 (c) [If the applicant is an individual, he/she must sign the application for a special food
 28 service facility - mobile unit license. If the applicant is a corporation it must be signed by the
 29 president or vice president and attested to by the secretary or assistant secretary. If the applicant
 30 is a general or limited partnership it must be signed by a general partner. If the applicant is a
 31 limited liability company it must be signed by the manager.]

1 [(d)] If an omission or error is discovered by the Department of Permitting, Inspections,
2 and Enforcement, the application will be returned to the applicant for completion or correction
3 without further action by the Departmental of Permitting, Inspections, and Enforcement. Any
4 application rejected due to an omission or error shall be accepted only when the omission or
5 error has been remedied. For purposes of this Division, the date that the Department of
6 Permitting, Inspections, and Enforcement accepts an application which is complete shall be the
7 date the application is accepted by the Department of Permitting, Inspections, and Enforcement.

8 [(e)] (d) In the event that the Department of Permitting, Inspections, and Enforcement
9 determines that an applicant has improperly completed the application, it shall promptly notify
10 the applicant and allow the applicant thirty (30) days to properly complete the application. The
11 time period for granting or denying a special food service facility - mobile unit license shall be
12 stayed during the period in which the applicant is allowed an opportunity to properly complete
13 the application.

14 [(f)] (e) Applicants for a special food service facility - mobile unit license under this
15 Division and license holders shall have a continuing duty to promptly supplement application
16 information required by this Section in the event that said information changes in any way from
17 what is stated on the application. The failure to comply with said continuing duty within thirty
18 (30) days from the date of such change, by supplementing the application of file with the
19 Department of Permitting, Inspections, and Enforcement, shall be grounds for the suspension or
20 revocation of a special food service facility - mobile unit license.

21 **Sec. 5-2806. [Insurance Requirement.]**

22 (a) Each licensee shall file with Department of Permitting, Inspections, and Enforcement a
23 copy of his/her insurance policy covering the special food service facility - mobile unit.

24 [(b)] Department of Permitting, Inspections, and Enforcement may specify through
25 regulations what policies and levels of coverage are necessary.]

1 SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
2 calendar days after it becomes law.

Adopted this 19th day of July, 2016.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Derrick Leon Davis
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.