

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**

**1996 Legislative Session**

Bill No. \_\_\_\_\_ CB-16-1996

Chapter No. \_\_\_\_\_ 73

Proposed and Presented by Council Members Esteppe and Gourdine

Introduced by Council Members Esteppe, Russell, Wilson, Bailey, Scott, Gourdine, Maloney

Co-Sponsors

Date of Introduction \_\_\_\_\_ October 29, 1996

**BILL**

AN ACT concerning

Peddlers and Itinerant Vendors

For the purpose of prohibiting the licensing of new peddlers and itinerant vendors, providing for the expiration of all licenses on January 1, 1999, and restricting the roads on which goods may be sold in the right-of-way by peddlers and itinerant vendors during the interim period.

BY repealing and reenacting with amendments:

**SUBTITLE 5. BUSINESSES AND LICENSES.**

Sections 5-190 and 5-193.01,

The Prince George's County Code

(1995 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 5-190 and 5-193.01 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

**SUBTITLE 5. BUSINESS AND LICENSES.**

**DIVISION 12. PEDDLERS AND ITINERANT VENDORS.**

**Sec. 5-190. License required; payment; contents; term; and basis for refusal of license.**

(a) No person, his agents or employees, shall sell, barter or trade or offer or expose for sale, barter or trade in or upon any street or highway in the County, or go from house to house, either on foot, or with a horse or other beast of burden, or with a wagon, or motor vehicle, or other conveyance whatsoever, upon the streets or highways in the County, selling,

bartering or trading or offering to sell, barter or trade, or shall sell, barter or trade or offer to sell, barter or trade at or from any roadside stand or roadside market upon any street or highway in the County, any produce, products or merchandise whatsoever without each such person having previously obtained a license from the Office of Business and Regulatory Affairs.

(b) Payment for such license shall be made to the Office of Finance. The license shall contain a 2" x 2" recent and clear photograph showing the head and shoulders of the licensee, a physical description of the licensee and the purpose for which the license was issued. The license shall be laminated and shall be worn by the licensee in such a manner as to be clearly visible to all.

(c) The license shall expire one (1) year from the date of issuance, except as provided in (f), below.

(d) The Director may refuse to issue a license upon application where the Director finds after reasonable investigation, that the applicant has had a license revoked within the past three (3) years or is not of good moral character pursuant to the criteria set out in Section 5-204 of this Code.

(e) No license shall be issued after January 1, 1997 to any hawker, peddler, or itinerant vendor unless the application is for the renewal of an existing license.

(f) All licenses shall expire on January 1, 1999, and no new licenses shall be issued after that date.

**Sec. 5-193.01. Prohibited sales, solicitations and distributions in roadways(s) and certain other portions of the right-of-way.**

\* \* \* \* \*

(b) Notwithstanding any other provision of this Division, it shall be unlawful for any hawker, peddler, roadside vendor, huckster, itinerant vendor, or any other person to sell, attempt to sell, or display for sale any goods, wares, merchandise, or other items of any description while upon the right-of-way, or from a vehicle upon the right-of-way except for the following:

- (1) Automotive equipment to the owner or occupant of a vehicle disabled in

a roadside emergency;

(2) Live or cut flowers, plants, artificial flowers (and including crosses or other adornments for graveside use);.

(3) Fruits, vegetables, or other agricultural products;

(4) Baked goods;

(5) Fish or shellfish;

(6) Any meat or meat product, cooked and offered for immediate consumption;

(7) Gum or candy; chips or other edible goods offered in individual servings for immediate consumption;

(8) Individual cans, bottles, or other single serving containers of soft drinks, juice, or other nonalcoholic beverages;

(9) Ice cream, ice cream products, or other frozen novelties.

(c) It shall be unlawful for any hawker, peddler, roadside vendor, huckster, itinerant vendor, or any other person to sell, attempt to sell, or display for sale any goods, wares, merchandise, or other items of any description, with the exception of (b)(1), above, while upon the right-of-way of a road designated a "Gateway Road" by resolution of the County Council.

[(c)](d) It shall be unlawful for any hawker or peddler to park on public rights-of-way to sell, or attempt to sell goods, wares, or merchandise of any description from a motor vehicle, vehicle or stand when:

(1) Within one hundred (100) yards of an intersection of two roads.

(2) Within one hundred (100) yards of the vehicular entrance to or exit from a public school.

(3) Within one hundred (100) yards of a vehicular entrance to or exit from an integrated shopping center as defined in the Zoning Ordinance of Prince George's County, or entrance to or exit from said shopping center's parking lot.

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SECTION 2 . BE IT FURTHER ENACTED that this Act shall take effect on forty-

five (45) calendar days after it becomes law.

Adopted this 26th day of November, 1996.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY:

Stephen J. Del Giudice  
Chairman

ATTEST:

Joyce T. Sweeney  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_

BY:

Wayne K. Curry  
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.