

FOR INTERNAL USE ONLY

INTERGOVERNMENTAL AFFAIRS DIVISION

COUNTY AGENCY LEGISLATIVE COMMENT REQUEST FORM

**Reviewing Agency:** Department of Permitting, Inspections and Enforcement

**Bill/Resolution Number:** CB-29-2026

**Brief Summary of the Bill/Resolution:** The Dine-In Restaurant Permitting Incentive Act of 2026. The Bill provides for a reduction in permitting fees for sit-down restaurants to stimulate restaurant growth in Prince George's County.

**Agency Impact:**

*Will this bill impact your Agency financially or operationally, or your Agency's mission?*

Yes     No     Undeterminable at this time

*If yes, please select the appropriate impact:*     Positive Impact     Negative Impact     No Impact

**Discussion of Impact:**

General Comments:

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The proposed Bill adds the definition "...Sit-down restaurant means a restaurant, as defined pursuant to Part 27-5 of Subtitle 27 of the Code, whose **principal method of operation** consists of sit-down table service provided by dedicated waitstaff for on-site food and beverage consumption."

DPIE recommends that the "principal method of operation" should be defined. For example, does it apply to the number of tables and chairs, number of wait staff, number of Occupants etc? This will provide guidance to M-NCPPC in applying the Code and DPIE in assessing the fee calculation.

Page 2, Line 7-10.

2-253.63(j)(30)(A) requires the DPIE Director interpret to "assess the features of a business applicant to determine whether the business is a sit-down restaurant in accordance with this Subsection before applying the discount .."

DPIE should not be responsible for conducting this assessment. DPIE is not equipped to do this. The Bill as written does not give DPIE guidance on applying the proposed changes. This interpretation and full assessment should be done by another agency, specifically, M-NCPPC. The Bill should be amended to include more specifics, for example, require that 90% of the food prepared is delivered to sit-down customers and 100% of the tables in the restaurant are served by wait staff.

Additionally, DPIE recommends that the reviewing agency provide DPIE with a certification or sign-off at the time of permit application intake from the applicant who received this assessment approval from M-NCPPC Director. The allowance and land use planning of a space based on

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business operations is typically decided by M-NCPPC, which typically involves social and environmental objectives. DPIE applies the Building Code only. DPIE manages the construction of that planning and zoning determination after use/allowance has been identified.

**Fiscal Impact:**

*Please provide an estimate of the financial impact. For example, will this bill require you to hire more staff, create a computer system, etc?*

Yes. DPIE would have to change the Momentum system to allow for the assessment of fees and to apply the reduction. The modifications to Momentum would be approximately 75K.

**Agency Position Recommendation:**

Support       Oppose       Support with Amendments       No position

*Please specify any suggested amendments in the space below?*

**Additional Information:**

*Has your agency been contacted by the State Department of Legislative Services staff regarding this proposal?*

Yes     No

*If yes, please provide comments about the discussion.*

**Contact:** Lori S. Parris, Esq.

**Date:** April 1, 2026