

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2004 Legislative Session**

Bill No. CB-44-2004

Chapter No. 71

Proposed and Presented by The Chairman (by request – County Executive)

Introduced by Council Members Dernoga, Exum and Bland

Co-Sponsors \_\_\_\_\_

Date of Introduction November 1, 2004

**BILL**

1 AN ACT concerning

2 Fees

3 For the purpose of increasing certain fees for services, permits and licenses rendered by the  
4 Health Department's Division of Environmental Health.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 5. BUSINESSES AND LICENSES

7 Sections 5-216, 5-218, 5-218.01 and 5-221

8 The Prince George's County Code

9 (1999 Edition, 2002 Supplement).

10 SUBTITLE 12. HEALTH

11 Sections 12-110, 12-114 and 12-166

12 The Prince George's County Code

13 (1999 Edition, 2002 Supplement).

14 SUBTITLE 22. ON SITE SEWAGE DISPOSAL SYSTEMS

15 Section 22-118

16 The Prince George's County Code

17 (2003 Edition).

18 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
19 Maryland, that Sections 5-216, 5-218, 5-218.01, 5-221, 12-110, 12-114, 12-166 and 22-118 of  
20 the Prince George's County Code be and the same are hereby repealed and reenacted with the  
21 following amendments:

**SUBTITLE 5. BUSINESSES AND LICENSES.**

**DIVISION 17. SWIMMING POOLS AND PUBLIC SPAS.**

**Subdivision 3. Licenses.**

**Sec. 5-216. Temporary suspension.**

Public swimming pool licenses issued pursuant to this Subdivision shall be subject to temporary suspension by the County Health Officer for reasons of turbidity, improper chlorination, insufficient supervision, improper water pH, excess cyanuric acid, or if there are reasonable grounds to believe that a real health or safety hazard exists. The pool may reopen after suspension upon correction of the violation. The Health Department must be notified of the correction by the next working day. Upon reinspection by the Health Department, if the initial violation has not been corrected, the pool will be closed and written permission from the Health Department must be obtained and a fee of [Seventy-five Dollars (\$75.00)] One Hundred Fifty Dollars (\$150.00) must be paid before reopening.

\* \* \* \* \*

**Sec. 5-218. Applications for Swimming Pool Operators' Licenses.**

\* \* \* \* \*

(b) License renewals will be issued upon receipt of the following:

- (1) A completed application along with the appropriate fee; and
- (2) Proof of having completed an approved four-hour refresher course or the equivalent in continuing education.

(c) To reinstate a revoked license, an operator must pass the Department's challenge exam.

(d) The Health Department may offer its own four-hour refresher course for applicants for license renewal, but applicants are not required to take the Department's version of the course in order to qualify for license renewal.

**Sec. 5-218.01. Fee.**

(a) The fees for the issuance of a public swimming pool operator's license shall be proposed and recommended by the County Executive and adopted by resolution of the County Council.

(b) A fee for the challenge exam offered in accordance with Section 5-218 of this Subtitle shall be proposed and recommended by the County Executive and adopted by resolution of the County Council.

1 (c) A fee for the four-hour refresher course for applicants for the pool operator’s license  
2 renewal, which is required in accordance with Section 5-218 of this Subtitle, shall be proposed  
3 and recommended by the County Executive and adopted by resolution of the County Council.

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5 **Sec. 5-221. Preopening inspection.**

6 \* \* \* \* \*

7 (b) A fee of [Seventy-five Dollars (\$75.00)] One Hundred Fifty Dollars (\$150.00) shall be  
8 paid for each preopening reinspection.

9 \* \* \* \* \*

10 **SUBTITLE 12. HEALTH.**

11 **DIVISION 2. FOOD SERVICE FACILITIES.**

12 **Subdivision 3. Permits And Inspections.**

13 **Sec. 12-110. Posting permit; term; renewal; fees.**

14 \* \* \* \* \*

15 (c) The permit fee shall be as set forth in the following table:

CLASS/TYPE OF PERMIT	DURATION	ADDITIONAL REQUIREMENTS	FEE
CLASS I special food service facility (as defined in COMAR 10.15.03)	1 day	application submitted 14 calendar days or more prior to event	\$25.00
CLASS I special food service facility (as defined in COMAR 10.15.03)	1 day	application submitted fewer than 14 calendar days prior to event	\$75.00
CLASS II special food service facility (as defined in COMAR 10.15.03)	1 day	application submitted 14 calendar days or more prior to event	\$25.00
CLASS II special food service facility (as defined in COMAR 10.15.03)	1 day	application submitted fewer than 14 calendar days prior to event	\$75.00
CLASS II special food service facility (as defined in COMAR 10.15.03)	2-5 days, less than 1 year	none defined	\$75.00
CLASS I special food service facility	up to 1 year	none defined	<del>[\$175.00]</del> \$425.00
CLASS III special food service facility	up to 1 year	none defined	<del>[\$175.00]</del> \$425.00
CLASS IV special food service facility	up to 1 year	none defined	<del>[\$175.00]</del> \$425.00
nonprofit organizations	up to 1 year	not specifically exempted from the fee in Subsections (c) or (g)	<del>[\$150.00]</del> \$175.00
nonprofit organization (temporary) organization	1 to 5 days	must be staffed by members	\$ 0
Low Priority Hazard Analysis Critical Control Point (HACCP)	up to 1 year	none defined	<del>[\$175.00]</del> \$225.00
Moderate Priority Hazard Analysis Critical Control Point (HACCP)	up to 1 year	none defined	<del>[\$275.00]</del> \$325.00
High Priority Hazard Analysis Critical Control Point (HACCP)	up to 1 year	none defined	<del>[\$375.00]</del> \$425.00
All other food service facilities with NO Hazard Analysis Critical Control Point (HACCP) assessment	up to 1 year	subject to provision in Subsection (c)	<del>[\$275.00]</del> \$325.00

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(d) At the time of submitting plans to the Health Department for a new or remodeled food service facility, a fee of [Two Hundred Dollars (\$200.00)] Three Hundred Dollars (\$300.00) for new facilities or a fee of [One Hundred Fifty Dollars (\$150.00)] Two Hundred Dollars (\$200.00) for remodeled facilities shall be paid. A fee of [Twenty-five Dollars (\$25.00)] Fifty Dollars (\$50.00) shall be paid for each resubmittal of plans after the first resubmittal. An additional fee of [Twenty-five Dollars (\$25.00)] One Hundred Dollars (\$100.00) shall be paid for each reinspection after the first reinspection required prior to approval to operate. A fee of [Twenty-

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1 five Dollars (\$25.00)] One Hundred Dollars (\$100.00) shall be paid for prospective inspections,  
2 consultations, and equipment evaluations. Prior to the sale of any permitted facility, the permit  
3 holder, or a potential buyer or party in interest in conjunction with the permit holder, may request  
4 that the Health Department conduct a change of ownership inspection to determine the facility's  
5 status regarding all applicable Health Department requirements. The change of ownership  
6 inspection fee shall be Two Hundred Fifty Dollars (\$250.00).

7 \* \* \* \* \*

8 **Sec. 12-114. Food Service Manager Certification.**

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10 (k) Application for a food service manager certificate must be made to the Department by  
11 submitting the following:

12 (1) A completed application along with a [Twenty-five Dollar (\$25.00)] Thirty-five Dollar  
13 (\$35.00) fee, and a recent photograph clearly showing the applicant's facial features when  
14 trimmed to a size of 2 inches by 2 inches; and

15 \* \* \* \* \*

16 (m) Renewal certificates will be issued upon receipt of the following:

17 (1) A complete application along with the [Twenty-five Dollar (\$25.00)]  
18 Thirty-five Dollar (\$35.00) fee; and

19 \* \* \* \* \*

20 **DIVISION 6. VENDING MACHINES.**

21 **Sec. 12-166. Permit fee.**

22 (a) For every vending machine location permit issued, a fee of [One Hundred Dollars  
23 (\$100.00)] One Hundred Twenty-Five Dollars (\$125.00) shall be paid before the issuance of any  
24 permit.

25 \* \* \* \* \*

26 **SUBTITLE 22. ON-SITE SEWAGE DISPOSAL SYSTEMS.**

27 **DIVISION 3. SEWAGE DISPOSAL SYSTEMS.**

28 **Subdivision 1. Permit.**

29 **Sec. 22-118. Information to be submitted for issuance of a septic permit.**

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31 (b) A fee designated by the Health Officer shall be charged for a plat review of a private

1 septic system or well.

2 (c) A fee designated by the Health Officer shall be charged for each time plans are  
3 required to be resubmitted for additional review because of errors or missing information, and  
4 the fee is payable when the plan is resubmitted.

5 SECTION 2. BE IT FURTHER ENACTED that the fees for food service manager  
6 certificate programs for volunteer fire companies or bona fide non-profit fraternal, civic,  
7 veterans', religious, or charitable organizations or corporations, as established by CB-108-1994,  
8 Section 2, shall be increased to \$50.00 for Level A food service managers and \$30.00 for Level  
9 B food service managers.”

10 SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act are hereby  
11 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,  
12 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of  
13 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining  
14 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this  
15 Act, since the same would have been enacted without the incorporation in this Act of any such  
16 invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 23rd day of November, 2004.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Tony Knotts  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Jack B. Johnson  
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.