

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2023 Legislative Session

Bill No. CB-046-2023

Chapter No. 47

Proposed and Presented by Council Members Blegay, Oriadha, and Olson

Introduced by Council Members Blegay, Oriadha, Olson, Dernoga, Burroughs and Ivey

Co-Sponsors _____

Date of Introduction June 20, 2023

BILL

AN ACT concerning

The Healthy Restaurant Program

For the purpose of establishing a voluntary healthy restaurant certification program.

BY adding:

SUBTITLE 12. HEALTH.

DIVISION 13. HEALTHY RESTUARNT PROGRAM

Sections 12-219, 12-220, 12-221, 12-222, 12-223

The Prince George's County Code

(2019 Edition; 2022 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 12-219, 12-220, 12-221, 12-222, and 12-223 of the Prince George's County Code be and the same are hereby added:

SUBTITLE 12. HEALTH.

DIVISION 13. HEALTHY RESTAURANT PROGRAM.

Sec. 12-219. Legislative Purpose and Intent.

It is hereby declared by the County Council of Prince George's County, Maryland that a healthy restaurant program shall be established. Communities are trying to address the health effects of restaurant food in a variety of ways. By establishing a healthy restaurant program, local governments can support and give incentives to restaurant owners who are willing to offer healthier foods. Restaurants apply to the program, agree to meet certain standards, and, in exchange, receive benefits, including free publicity and help implementing healthy changes.

Sec. 12-220. Definitions.

- (a) Healthy Meal Options shall mean food items deemed “healthy” by the Health Department’s Prince George’s Healthcare Action Coalition.
- (b) Healthy Restaurant Program (the “Program”) shall mean a voluntary healthy restaurant incentive certification program whereby the County provides grants, loans, and other incentives including free promotions to restaurants carrying healthy food and drink options on their menus.
- (c) Promotions shall mean publicity, advertising, marketing and signage promoting the restaurants under the Healthy Restaurant Program.

Sec. 12-221. Requirements under the Healthy Restaurant Program.

- (a) Restaurants, as a condition of participating in this program, shall:
 - (1) Provide a menu of options whereby 40% of their total number of entrees are deemed healthy by the Prince George’s Healthcare Action Coalition and includes at least one healthy plant-based meal.
 - (2) Participate in periodic program promotions and celebrations such as County-sponsored “Restaurant Weeks” and other such events.
 - (3) Renew their membership every two years on the condition that the restaurant continues to satisfy the requirements of subsection (a) of this Section.

Sec. 12-222. County Responsibilities.

- (a) The Prince George’s Healthcare Action Coalition will work with a hired dietician who will approve applications and collaborate with restaurants to analyze menu meals and recommend healthy options at no cost to the restaurant, ensuring that no “healthy” entrées exceed the Prince George’s Healthcare Action Coalition’s specified levels of total fat, saturated fat, cholesterol, or sodium permitted.
- (b) The Prince George’s Healthcare Action Coalition will work with a hired compliance coordinator that will ensure that participating restaurants are in compliance with the Healthy Restaurant Program.
- (c) The Economic Development Corporation shall provide free promotions for the restaurants certified under the Program.
- (d) The Economic Development Corporation shall provide zero-interest loans for the restaurants certified under the Program.

(e) In terms of promotions, the County shall:

(1) promote restaurants certified under the Program and the Program itself on the Prince George's County website and on local government channels or programming.

(f) The Experience Prince George's office shall work the Prince George's Healthcare Action Coalition to:

(1) Engage with local media outlets to announce new healthy restaurants under this Program; and

(2) create promotional materials and provide a list of healthy restaurants to local elected officials, government commissions, committees agencies, local hospitals, colleges, universities, parent associations, large employers, local YMCAs, gyms, health clubs, local schools, and affiliated parent associations and encourage them to order food from participating restaurants; and

(3) set up a Program website with information about the healthy restaurants under this Program with links to menus; and

(4) promote Healthy Restaurants during annual "Restaurant Weeks" or similar events.

Sec. 12-223. Qualifications, Enforcement and Penalties.

(a) The Health Department shall administer and enforce this chapter. The Health Department may issue rules and regulations as necessary to carry out the purposes of this chapter consistent with the State Regulations adopted in Subtitle 12, Division 2, Subdivision 1 as amended by Division 2, Subdivision 2 of the County Code in all manner of enforcement except as provided in Subsections (b), (c), and (d) of this Section.

(b) Failure of the restaurants to comply with the requirements under Section 12-221(a), shall constitute a breach of that condition and shall result in revocation of those restaurants from the Healthy Restaurant Program, which, in turn, shall result in all zero interest loans disbursed to the restaurants converting to interest bearing loans calculated at the market rate existing at the time of the breach.

(c) The revocation in subsection (b) of this Section shall be for one year. If the restaurant satisfies the repayment requirements under subsection (b), they may be reinstated under the Program and the original loan shall revert back to a zero-interest loan.

(d) The restaurant may voluntarily withdraw from participation in the Program without being subject to subsection (b) if they can demonstrate economic hardship to the satisfaction of the Economic Development Corporation.

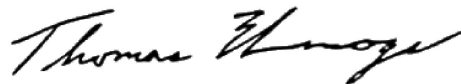
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SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 18th day of July, 2023.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: 
Thomas E. Dernoga
Chair

ATTEST:



Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____

BY: _____
Angela D. Alsobrooks
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.

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THE COUNTY EXECUTIVE HAVING FAILED TO RETURN THIS BILL WITH EITHER
HER APPROVAL OR VETO WITHIN TEN (10) DAYS AFTER THE DATE OF ITS
PRESENTATION TO HER, THIS BILL BECAME LAW ON AUGUST 11, 2023.