

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2014 Legislative Session

Bill No. CB-10-2014

Chapter No. 40

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

Introduced by Council Members Franklin, Lehman, Toles, Turner, Davis and Patterson

Co-Sponsors _____

Date of Introduction July 23, 2014

BILL

1 AN ACT concerning

2 Farmer’s Market Sampler’s License Permit and Fee

3 For the purpose of establishing a permit and fee for a Sampler’s License in County based
4 Farmer’s Markets.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 12. HEALTH.

7 Section 12-110

8 The Prince George's County Code

9 (2011 Edition; 2013 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
11 Maryland, that Section 12-110 of the Prince George's County Code be and the same is hereby
12 repealed and reenacted with the following amendments:

13 **SUBTITLE 12. HEALTH.**

14 **DIVISION 2. FOOD SERVICE FACILITIES.**

15 **Subdivision 3. Permits and Inspections.**

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

17 * * * * *

18 (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	\$425.00
CLASS III special food service facility	up to 1 year	none defined	\$425.00
CLASS IV special food service facility	up to 1 year	none defined	\$425.00
Farmer's Market Sampler's License	14 to 50 days	<u>Dependent upon issuance of a Farmer's Market Permit. Excludes whole uncut produce or products produced with an On Farm Processing License.</u>	<u>\$25.00</u>
Seasonal Food Service Facility – Farmer's Market	14 to 50 days, less than 1 year	Operating only with written permission at a Farmer's Market in the County, as defined by Section 27-107.01 (87.1) and as listed by the Maryland Department of Agriculture, for more than 14 days, but less than 50 days a year.	\$175.00
Nonprofit organizations	up to 1 year	not specifically exempted from the fee in Subsections (c) or (g)	\$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	\$225.00
Moderate Priority Hazard Analysis Critical Control Point (HACCP)	up to 1 year	none defined	\$325.00
High Priority Hazard Analysis Critical Control Point (HACCP)	up to 1 year	none defined	\$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)	\$325.00

1 Nonprofit organizations operating for a temporary period food and drink concessions which are
 2 staffed solely by members of the organization shall not be required to pay the fees prescribed in
 3 this Section. Further, food service facilities operated by the Prince George's County Board of
 4 Education, Blind Industries and Services of Maryland established by Chapter 566, Acts of 1908,
 5 or the Capital Area Community Food Bank and its recipient organizations in Prince George's
 6 County, Maryland, shall not be required to pay the fees prescribed in this Section. The Capital
 7 Area Community Food Bank will provide a list of recipient organizations to the Prince George's
 8 County Health Department on the first day of each year and amend that list as new recipient
 9 organizations are added. A duplicate permit will be issued, on request, at a charge of Fifteen
 10 Dollars (\$15.00).

11 * * * * *

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

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

Adopted this 9th day of September, 2014.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel R. Franklin
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.

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