

Prince George's County Council

Agenda Item Summary

Meeting Date: 6/10/2008
Reference No.: CB-012-2008
Draft No.: 2
Proposer(s): Olson
Sponsor(s): Olson, Campos, Dernoga
Item Title: An Act establishing a permit and fee for seasonal food service facilities in County based farmer's markets.

Drafter: Todd M. Turner, Legislative Officer
Resource Personnel: Dannielle Glaros, Legislative Aide

LEGISLATIVE HISTORY:

Date Presented:	4/8/2008	Executive Action:	7/2/2008 S
Committee Referral:	4/8/2008 - HEHS	Effective Date:	8/18/2008

Committee Action: 5/1/2008 - FAV

Date Introduced: 5/13/2008
Public Hearing: 6/10/2008 - 1:30 PM

Council Action (1) 6/10/2008 - ENACTED
Council Votes: MB:A, WC:A, SHD:A, TD:A, CE:A, AH:A, TK:A, EO:A, IT:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

12-110

COMMITTEE REPORTS:

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE

Date 5/1/2008

Committee Vote: Favorable, 4-0 (In favor: Council Members Campos, Turner, Bland and Dean).

Staff summarized the purpose of the legislation and informed the committee of written referral comments that were received. CB-12-2008 establishes a permit and fee for seasonal food service facility vendors operating only with written permission at a Farmer's Market in the County, as defined by Section 27-107.01(87.1). The proposed fee of \$175 will cover 14 days and no more than 50 days in a year. Based on Audits and Investigations report there are 7 farmer's markets in the County and not all of them have seasonal food service facility vendors and there are fewer than 10 seasonal food service facility vendors in the County that participate in farmer's markets.

The Office of Audits and Investigations indicates that enactment of CB-12-2008 will reduce the fees currently charged to some of these seasonal food service vendors, which are currently as high as \$475 per year. Some others may apply for and receive one-day permits with fees of \$25 or \$75, depending on the class of special food service provided. Given the current number of subject vendors who serve farmer's markets, the Health Department does not expect that the revenue loss will be significant, however, should the number of season food service facility vendors increase significantly, the Department may wish to revisit the fee structure.

The sponsor indicated that food vendors at farmer's markets, who often operate only during the growing season at one or two markets a week, face the extra burden of paying for a yearly permit even though they only use this permit for a short timeframe. Many other jurisdictions, such as Montgomery County and Baltimore City, offer permits at a lower rate for seasonal events or multiple day events.

The Committee sought clarification regarding this permit as it relates to roadside vendors. The Legislative Officer indicated that the permit would be limited to those food service facility vendors that have written permission to operate from a permitted Farmer's Market in the County under the Zoning Code.

A Committee member suggested a list of vendors that participate at Farmer's Market be put in the legislation for purposes of clarity.

The Health Officer indicated that this bill would allow further oversight and management over more facilities by requiring permits. The Health Officer further indicated that appropriate signage indicating the hours of operation and location would be visual.

The County Executive supports and the Office of Law finds it to be in proper legislative form and provided technical changes to the background information.

Speakers spoke in support of the bill expressing the need for this service in the County and sharing their experiences and indicating their willingness to satisfy the Committee's concerns regarding handling and preparation of the products being sold.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

This bill would create a seasonal permit and fee for food service facilities participating in County farmer's markets, as defined by Section 27-107.01(87.1), for use for more than 14 days and not more than 50 days in a year at a market.

CODE INDEX TOPICS:

INCLUSION FILES:
