

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2008 Legislative Session

Bill No. CB-12-2008

Chapter No. 11

Proposed and Presented by Council Member Olson

Introduced by Council Members Olson, Campos and Dernoga

Co-Sponsors _____

Date of Introduction April 8, 2008

BILL

1 AN ACT concerning

2 County Farmer's Market Seasonal Food Permit and Fee

3 For the purpose of establishing a permit and fee for seasonal food facility vendors in County
4 based 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 (2003 Edition, 2006 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12 repealed and reenacted with the following amendments: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 (a) The permit issued by the Health Officer shall be prominently posted in public view
18 with the food service facility.

19 * * * * *

| CLASS/ TYPE OF PERMIT | DURATION | ADDITIONAL REQUIREMENTS | FEE |
|---|---------------------------------------|---|-----------------|
| CLASS I special food service facility <i>(as defined in COMAR 10.15.03)</i> | 1 day | application submitted 14 calendar days or more prior to event | \$25.00 |
| CLASS I special food service facility <i>(as defined in COMAR 10.15.03)</i> | 1 day | application submitted fewer than 14 calendar days prior to event | \$75.00 |
| CLASS II special food service facility <i>(as defined in COMAR 10.15.03)</i> | 1 day | application submitted 14 calendar days or more prior to event | \$25.00 |
| CLASS II special food service facility <i>(as defined in COMAR 10.15.03)</i> | 1 day | application submitted fewer than 14 calendar days prior to event | \$75.00 |
| CLASS II special food service facility <i>(as defined in COMAR 10.15.03)</i> | 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 |
| <u>Seasonal Food Service Facility – Farmer’s Market</u> | <u>14 to 50 days less than 1 year</u> | <u>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.</u> | <u>\$175.00</u> |
| 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 |

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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, subparagraph, subsection, or section.

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

Adopted this 10th day of June , 2008.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

BY: _____
Samuel H. Dean
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.