

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2010 Legislative Session

Bill No. CB-70-2010

Chapter No. 65

Proposed and Presented by Council Member Olson

Introduced by Council Members Olson and Turner

Co-Sponsors _____

Date of Introduction September 28, 2010

BILL

1 AN ACT concerning

2 Mobile Units

3 For the purpose of clarifying the definition and general operation of Mobile Units in the Prince
4 George's County Health Code

5 BY repealing and reenacting with amendments:

6 SUBTITLE 12. HEALTH.

7 Section 12-115

8 The Prince George's County Code

9 (2007 Edition, 2009 Supplement)

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
11 Maryland, that Section 12-115 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12 repealed and reenacted with the following amendments: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. 12-115. Special Food Service Facilities - Mobile Units.**

17 (a) The following provisions shall apply to Class I, III, and IV special food service
18 facilities:

19 (1) Vehicle Identification.

20 (A) The following must be plainly visible and permanently affixed, with a
21 minimum three (3) inch high letters of contrasting color, to the exterior body of the mobile unit:

1 (i) Name of mobile unit and/or operator; and

2 (ii) Address and telephone number of operator.

3 (B) A valid and current Health Department issued decal must be displayed at all
4 times.

5 (C) A valid registration card and vehicle tag must be provided prior to licensure,
6 if applicable.

7 (2) Food handling; storage; source.

8 (A) Any mobile unit failing to meet specified requirements of COMAR 10.15.03
9 must provide written confirmation of accessibility to an approved depot for one or more of the
10 following:

11 (i) Utensil washing facilities;

12 (ii) Disposal of liquid and solid wastes;

13 (iii) Source of potable water; and

14 (iv) Storage of foods.

15 (B) Mobile units must provide cold storage units capable of maintaining
16 potentially hazardous food at 45° F, or below.

17 (C) Potentially hazardous food which has been displayed for service may not be
18 served again.

19 (D) Operators of mobile units must provide evidence that the equipment is
20 capable of reheating, cooking, or hot/cold holding of potentially hazardous foods, as required by
21 this Code.

22 (E) Public vending of food from manually propelled mobile units is prohibited
23 on public rights of way in Prince George's County and on private property except as permitted at
24 a stadium, amusement park, in conjunction with a carnival, festival, fair or similar event which
25 has been issued a Temporary Use Permit (UTZ) from the Department of Environmental
26 Resources. This section shall not apply to a permittee or licensee operating within a mixed use
27 venue whose core uses include the merchandising of retail, food, beverages and entertainment
28 provided the permittee or licensee has the permission of the property management association.

29 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
30 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
31 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of

1 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
2 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
3 Act, since the same would have been enacted without the incorporation in this Act of any such
4 invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

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

Adopted this 26th day of October, 2010.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Thomas E. Dernoga
Chair

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.