

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2020 Legislative Session

Bill No. CB-28-2021

Chapter No. _____

Proposed and Presented by Council Members Turner, Streeter, Glaros and Hawkins

Co-Sponsors

Date of Introduction

BILL

1 AN ACT concerning
2 Mobile Grocery Trucks
3 For the purpose of amending the definition of Mobile Vendors to include a Mobile Grocery
4 Truck that provides food options in targeted areas in Prince George's County and the license
5 application requirements.
6 BY repealing and reenacting:

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SUBTITLE 5. BUSINESSES AND LICENSES.

DIVISION 12. PEDDLERS AND ITINERANT

VENDORS

10 || Sections 5-190 and 5-192,

11 || The Prince George's County Code

12 (2019 Edition; 2020 Supplement).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, that Sections 5-190 and 5-192 of the Prince George's County Code be and the same
15 are hereby repealed and reenacted with the following amendments:

SUBTITLE 5. BUSINESSES AND LICENSES .

DIVISION 12. PEDDLERS AND ITINERANT

VENDORS.

19 **Sec. 5-190. License required; payment; contents; term; and basis for refusal of license;**
20 **applicability.**

(a) No person, his agents or employees, shall sell, barter or trade or offer or expose for sale, barter or trade in or upon any street or highway in the County, or go from house to house, either on foot, or with a horse or other beast of burden, or with a wagon, or motor vehicle, or other conveyance whatsoever, upon the streets or highways in the County, selling, bartering or trading or offering to sell, barter or trade, or shall sell, barter or trade or offer to sell, barter or trade at or from any roadside stand or roadside market upon any street or highway in the County, any produce, products or merchandise whatsoever without each such person having previously obtained a license from the Department of Permitting, Inspections, and Enforcement.

* * * * *

(h) In this Division, "**Mobile Vendor**" means a person who predominantly sells:
(1) pre-prepared and prewrapped ice cream, ice cream products, or other frozen novelties, fresh fruit, or sealed single-serving containers of soft drinks, juice, or other nonalcoholic beverages from a motor vehicle operating with a National Sanitation Foundation approved cold plate freezer system temporarily stopped in the right-of-way; or

(2) pre-packaged groceries including but not limited to: dry goods, pantry staples, fresh fruits and vegetables (pre-packed or not), dairy products, proteins, prepacked and uncooked meats from a mobile food service facility or producer mobile farmer's market unit approved and inspected by the State or County Department of Health and affiliated with an entity providing mobile grocery options in targeted areas of the County.

(i) **Applicability.** This Section shall not apply to mobile units that are authorized as participants of a designated Food Truck Hub as defined by Section 5-189.01 of this Code.

* * * * *

Sec. 5-192. - License; application.

(a) Application for a vendor's license shall be made upon a form prescribed by the Director of Permitting, Inspections, and Enforcement.

(b) In addition to such other information as the Director may reasonably deem necessary for purposes of the implementation, administration and enforcement of this Division, the application shall state or be accompanied by the following:

* * * * *

(9) For a mobile vendor license under Section 5-190 (h)(2), a description of the areas in the County targeted for mobile food vending. Targeted areas shall include Healthy Food Priority Areas as designated on the Prince George's County Healthy Food Priority Area Map and any other authorized food truck locations under the County Code.

(c) Every application shall be signed and certified that the information given thereon is true and correct. The signature shall be that of the applicant.

* * * * *

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 ____ day of _____, 2021.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____

Calvin S. Hawkins II
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.