
By: **Washington County Delegation**
Introduced and read first time: February 5, 2001
Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 27, 2001

CHAPTER _____

1 AN ACT concerning

2 **Washington County - Exemption from Requirement of Licenses for**
3 **Transient or Temporary Vendors - Nonenclosed Shopping Centers**

4 FOR the purpose of exempting from the requirement for licenses for transient or
5 temporary vendors ~~certain shows, sales, exhibitions, or fairs conducted within~~
6 certain areas of nonenclosed shopping centers in Washington County under
7 certain circumstances; requiring that certain events comply with certain
8 ordinances and obtain certain permits; defining a certain term term; and
9 generally relating to transient or temporary vendors at nonenclosed shopping
10 centers in Washington County.

11 BY repealing and reenacting, with amendments,
12 Article 24 - Political Subdivisions - Miscellaneous Provisions
13 Section 11-301(b) and (e)
14 Annotated Code of Maryland
15 (1998 Replacement Volume and 2000 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article 24 - Political Subdivisions - Miscellaneous Provisions
18 Section 11-301(d)
19 Annotated Code of Maryland
20 (1998 Replacement Volume and 2000 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

1 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

2 11-301.

3 (b) In this section, the following words have the meanings indicated.

4 (1) "Transient or temporary vendors" means all persons, partnerships,
5 corporations, or other legal entities, and their principals and agents, who:6 (i) Engage in a business for the purpose of selling or soliciting
7 orders for the sale of goods, wares, or merchandise;

8 (ii) Are located in 1 location or travel from place to place;

9 (iii) Have the intent to continue this business in Washington County
10 or in Carroll County for a period of a year or less; and11 (iv) For the purpose of conducting this business, rent, use, or occupy
12 the following:

13 1. Buildings, including:

14 A. Rooms or halls in motels, hotels, or other lodging houses;
15 or

16 B. Public auditoriums, facilities, or civic centers;

17 2. Any lots or parcels of land including:

18 A. Streets;

19 B. Alleys;

20 C. Roads; or

21 D. Parks; or

22 3. Motor or nonmotorized vehicles of any type including:

23 A. Automobiles;

24 B. Trucks;

25 C. Boats; or

26 D. Carts.

27 (2) "Date of issuance" means the date on which the license is actually
28 obtained by the vendor and the date the vendor may legally proceed with business.29 (3) "NONENCLOSED SHOPPING CENTER" MEANS A NONENCLOSED
30 COMMERCIAL COMPLEX:

1 (I) LOCATED ON ONE PARCEL OF GROUND AND CONTAINING AT
2 LEAST 450,000 SQUARE FEET OF FLOOR SPACE; AND

3 (II) CONTAINING AT LEAST 100 RETAIL ESTABLISHMENTS.

4 (d) The county commissioners of each county may:

5 (1) License and regulate persons who conduct a transient or temporary
6 business; and

7 (2) Require a license to be obtained before conducting business within
8 the county.

9 (e) This section does not apply to the following:

10 (1) Travelers or selling agents, including auctioneers, in the usual course
11 of business;

12 (2) The mere solicitation of orders for the future delivery of goods, wares,
13 or merchandise in interstate commerce;

14 (3) Sales of goods, wares, or merchandise exhibited on the grounds used
15 by any agricultural society for the purpose of holding that agricultural society's
16 annual fair;

17 (4) Sales by any other nonprofit organization or society for charitable,
18 religious, or other public purpose;

19 (5) Conventions of religious, civic, or charitable groups or nonprofit trade
20 associations, concerts, cultural events, art and craft shows, sales, exhibitions, or fairs
21 and the exhibitor is the sole producer of the products;

22 (6) Sales by a farmer or his agent of produce from a truck or stand owned
23 or leased by the farmer;

24 (7) Shows, sales, exhibitions, or fairs conducted within the central
25 pedestrian areas of enclosed shopping malls; [or]

26 (8) Sales by a seller at a residential premises pursuant to an invitation
27 by the owner or legal occupant of the residential premises; OR

28 (9) IN WASHINGTON COUNTY, SHOWS, SALES, EXHIBITIONS, OR FAIRS
29 CONDUCTED WITHIN THE CENTRAL PEDESTRIAN AREAS OF NONENCLOSED
30 SHOPPING CENTERS, PROVIDED THAT THE EVENT COMPLIES WITH ALL APPLICABLE
31 CODES AND ORDINANCES AND THAT ALL APPLICABLE PERMITS ARE SECURED.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2001.

