

Defined terms: "Peddler" § 17-901
"Peddler license" § 17-901
"Person" § 1-101

17-912. SALE OF PRODUCE IN MUNICIPAL CORPORATION.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY IN ALLEGANY AND WASHINGTON COUNTIES.

(B) LOCAL LICENSE, FEE, OR TAX PROHIBITED.

A MUNICIPAL CORPORATION MAY NOT REQUIRE A LOCAL LICENSE OR IMPOSE A LOCAL FEE OR TAX TO SELL FRESH FRUITS, VEGETABLES, OR OTHER COUNTRY PRODUCE FROM A WAGON AT RETAIL IF THE SELLER IS THE PRODUCER.

(C) IDENTIFICATION CARDS OR TAGS AUTHORIZED.

HOWEVER, A MUNICIPAL CORPORATION BY ORDINANCE MAY:

(1) PROVIDE FOR THE ISSUANCE OF IDENTIFICATION CARDS OR TAGS TO PRODUCERS OF COUNTRY PRODUCE WHO SELL THE PRODUCE FROM A WAGON AT RETAIL;

(2) SET A FEE, NOT EXCEEDING 50 CENTS FOR EACH PRODUCER, FOR THE ISSUANCE OF IDENTIFICATION CARDS OR TAGS; AND

(3) REQUIRE PRODUCERS TO GET AND DISPLAY IDENTIFICATION CARDS OR TAGS.

(D) SALE OF PRODUCE BY PERSON OTHER THAN PRODUCER PROHIBITED; PENALTY.

(1) A PERSON WHO IS NOT THE PRODUCER MAY NOT SELL OR OFFER TO SELL ANY FRESH FRUITS, VEGETABLES, OR OTHER COUNTRY PRODUCE FROM A WAGON AT RETAIL IN A MUNICIPAL CORPORATION THAT REQUIRES A LOCAL LICENSE OR IMPOSES A LOCAL FEE OR TAX TO DO SO WITHOUT GETTING THE LICENSE OR PAYING THE FEE OR TAX.

(2) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE NOT EXCEEDING \$25.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 56, §§ 30 and 31.