

COUNTY COUNCIL OF  
 ANNE  
ARUNDEL  
COUNTY  
M A R Y L A N D

**LEGISLATIVE SUMMARY\***

To: All Councilmembers of the Anne Arundel County Council  
From: Linda M. Schuett, Legislative Counsel  
Date: September 21, 2020  
Subject: Bill No. 81-20

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Bill No. 81-20 allows a cottage food business as a home occupation. A cottage food business is one that produces and packages cottage food products in a residential kitchen, sells the products in accordance with State law, and has annual revenues of \$25,000 or less. *See* § 18-1-101 (40). The definition differs from the State definition in one respect. State law allows the cottage food business to produce “or” package the products in a residential kitchen. *See* § 21-301(b-1) of the Health-General Article of the State Code.

The Bill adopts the State’s definition of a “cottage food product” as contained in § 21-301 (b-2) of the Health-General Article. A cottage food product is nonhazardous food that is sold in accordance with State law. The product may be delivered directly to a consumer from a residence, at a farmer's market, at a public event, by personal delivery, or by mail delivery. The product may also be delivered to a retail food store, including a grocery store or a food cooperative.

A cottage food business as a home occupation must comply with the requirements contained in § 18-10-130 of the Code. These requirements include the following:

1. A home occupation must be located and conducted entirely in a principal dwelling unit and it must be incidental and secondary to the use of the structure as a dwelling.
2. A home occupation may not change the character of the dwelling unit and may not exceed 25% of the total floor area.

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\* This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.

3. The operator of a home occupation must be a resident of the dwelling unit in which the occupation is located and no more than one nonresident may be employed in the home occupation.
4. The sale or rental of goods or products other than those produced on the premises is prohibited.
5. Outside storage is prohibited.