

**CITY OF BALTIMORE
COUNCIL BILL 26-0163
(First Reader)**

Introduced by: Councilmember Porter

Cosponsored by: President Cohen and Councilmembers Parker, Conway, Middleton, Gray,
Bullock, Blanchard, Jones, Glover, Ramos, and Torrence

Introduced and read first time: April 6, 2026

Assigned to: Housing and Economic Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Health
Department, Office of Equity and Civil Rights

A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**Community Healthy Food Access Act**

3 FOR the purpose of establishing the Healthy Foods Grant Program; providing criteria for
4 participating in the Program; requiring a certain report; defining certain terms; and generally
5 relating to the Healthy Foods Grant Program.

6 BY adding

7 Article - Health

8 Sections 20-101 through 20-109, to be under the new title designation,

9 "Title 20. Healthy Foods" and the new subtitle designation,

10 "Subtitle 1. Healthy Foods Grant Program"

11 Baltimore City Code

12 (Edition 2000)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
14 Laws of Baltimore City read as follows:

15 style="text-align:center">**Baltimore City Code**

16 style="text-align:center">**Article – Health**

17 style="text-align:center">**TITLE 20. HEALTHY FOODS**

18 style="text-align:center">**SUBTITLE 1. HEALTHY FOODS GRANT PROGRAM**

19 **§ 20-101. DEFINITIONS.**

20 (A) *IN GENERAL.*

21 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (B) *FOOD DESERT.*

2 “FOOD DESERT” MEANS AN AREA IN WHICH:

- 3 (1) THE DISTANCE TO A SUPERMARKET IS MORE THAN ¼ MILE;
- 4 (2) THE MEDIAN HOUSEHOLD INCOME IS AT OR BELOW 185% OF THE FEDERAL
5 POVERTY LEVEL, AS MEASURED BY THE MOST RECENT 5-YEAR ESTIMATE OF THE
6 U.S. CENSUS BUREAU’S AMERICAN COMMUNITY SURVEY;
- 7 (3) OVER 30% OF HOUSEHOLDS HAVE NO VEHICLE AVAILABLE, AS MEASURED BY THE
8 MOST RECENT 5-YEAR ESTIMATE OF THE U.S. CENSUS BUREAU’S AMERICAN
9 COMMUNITY SURVEY; AND
- 10 (4) THE HEALTHY FOOD AVAILABILITY INDEX AVERAGE SCORE OF ALL FOOD STORES
11 IS LOW, AS MEASURED BY THE JOHNS HOPKINS CENTER FOR A LIVEABLE FUTURE.

12 (C) *GROCERY STORE.*

13 “GROCERY STORE” MEANS A RETAIL GOODS ESTABLISHMENT:

- 14 (1) WHOSE PRIMARY BUSINESS IS SELLING FOOD TO THE GENERAL PUBLIC FOR
15 OFF-PREMISES CONSUMPTION;
- 16 (2) THAT DERIVES AT LEAST 20% OF ITS GROSS RECEIPTS FROM THE RETAIL SALE OF
17 FRESH PRODUCE, MEATS, AND DAIRY PRODUCTS; AND
- 18 (3) THAT HAS A FLOOR AREA OF MORE THAN 12,000 SQUARE FEET.

19 (D) *HEALTHY FOODS GRANT.*

20 “HEALTHY FOODS GRANT” MEANS A GRANT AWARDED BY THE DEPARTMENT AS
21 AUTHORIZED UNDER § 20-102 {“HEALTHY FOODS GRANT PROGRAM”} OF THIS SUBTITLE.

22 (E) *PROGRAM.*

23 “PROGRAM” MEANS THE HEALTHY FOODS GRANT PROGRAM ESTABLISHED UNDER
24 § 20-102 {“HEALTHY FOODS GRANT PROGRAM”} OF THIS SUBTITLE.

25 (F) *RECREATION CENTER.*

26 “RECREATION CENTER” MEANS AN INDOOR OR OUTDOOR BUILDING, SITE, OR OTHER
27 FACILITY THAT IS DEDICATED TO RECREATION PURPOSES AND ADMINISTERED BY A PUBLIC
28 OR PRIVATE NONPROFIT AGENCY TO SERVE THE RECREATION NEEDS OF COMMUNITY
29 RESIDENTS.

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1 (G) *SENIOR CENTER*.

2 "SENIOR CENTER" MEANS A BUILDING, SITE, OR OTHER FACILITY THAT IS ADMINISTERED
3 BY A PUBLIC OR PRIVATE NONPROFIT AGENCY TO PROVIDE SERVICES, RESOURCES,
4 RECREATION, AND EDUCATION TO SENIOR CITIZENS.

5 (H) *SMALL BOX GROCERY STORE*.

6 "SMALL BOX GROCERY STORE" MEANS A GROCERY STORE THAT HAS A FLOOR AREA OF
7 LESS THAN 12,000 SQUARE FEET.

8 (I) *SNAP*.

9 "SNAP" MEANS THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM ADMINISTERED
10 BY THE UNITED STATES DEPARTMENT OF AGRICULTURE.

11 (J) *WIC*.

12 "WIC" MEANS THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN,
13 INFANTS, AND CHILDREN ADMINISTERED BY THE UNITED STATES DEPARTMENT OF
14 AGRICULTURE.

15 **§ 20-102. HEALTHY FOODS GRANT PROGRAM.**

16 THERE IS A HEALTHY FOODS GRANT PROGRAM ADMINISTERED BY THE HEALTH DEPARTMENT
17 TO PROMOTE ACCESS TO FRESH AND NUTRITIOUS FOOD.

18 **§ 20-103. SOURCE OF FUNDS.**

19 FUNDING FOR THE PROGRAM SHALL DERIVE FROM:

20 (1) ANY MONEY APPROPRIATED IN THE ORDINANCE OF ESTIMATES FOR THE PURPOSE OF
21 FUNDING THE PROGRAM; OR

22 (2) ANY CITY PARTNERSHIP WITH A FOR-PROFIT OR NON-PROFIT INSTITUTION TO PROVIDE
23 FUNDING FOR THE PROGRAM.

24 **§ 20-104. ELIGIBILITY.**

25 TO QUALIFY FOR A HEALTHY FOODS GRANT, A RETAIL GOODS ESTABLISHMENT SHALL:

26 (1) BE LOCATED WITHIN 1 MILE OF:

27 (I) A PRIMARY OR SECONDARY EDUCATIONAL FACILITY;

28 (II) A RECREATION CENTER; OR

29 (III) A SENIOR CENTER;

30 (2) BE A GROCERY STORE OR SMALL BOX GROCERY STORE.;

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1 (3) ACCEPT SNAP AND WIC AS PAYMENT; AND

2 (4) PROVIDE FRESH PRODUCE, MEAT, DAIRY, AND WHOLE GRAIN FOOD FOR SALE AT
3 PRICES CONSISTENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE
4 THRIFTY FOOD PLAN.

5 **§ 20-105. FORM OF APPLICATION.**

6 AN APPLICATION FOR A HEALTHY FOODS GRANT SHALL CONTAIN THE INFORMATION AND BE
7 IN THE FORM THAT THE DIRECTOR REQUIRES.

8 **§ 20-106. EQUITY AND PRIORITY.**

9 TO ENSURE THAT HEALTHY FOODS GRANTS ARE DISBURSED IN AN EQUITABLE MANNER AND
10 TO ADDRESS COMMUNITY NEED, THE DIRECTOR SHALL PRIORITIZE DISBURSEMENT OF
11 HEALTHY FOODS GRANT FUNDING TO ANY QUALIFIED ESTABLISHMENT THAT IS:

12 (1) LOCATED IN OR WITHIN ¼ MILE OF A FOOD DESERT;

13 (2) LOCATED IN A CENSUS TRACT WITH A HIGH RATE OF SNAP PARTICIPATION;

14 (3) LOCATED IN A CENSUS TRACT WITH A HIGH RATE OF CHILDHOOD ASTHMA, OBESITY,
15 MALNUTRITION, OR OTHER DIET-RELATED ILLNESS; OR

16 (4) A MINORITY BUSINESS ENTERPRISE OR WOMEN’S BUSINESS ENTERPRISE, AS DEFINED IN
17 § 28-13 OF CITY CODE ARTICLE 5.

18 **§ 20-107. REVOCATION OR SUSPENSION.**

19 A HEALTHY FOODS GRANT MAY BE SUSPENDED OR REVOKED BY THE DEPARTMENT FOR
20 FAILURE TO COMPLY WITH:

21 (1) ANY PART OF THIS SUBTITLE;

22 (2) ANY RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE; OR

23 (3) ANY CONDITION OF AN AGREEMENT BETWEEN THE HEALTHY FOODS GRANT RECIPIENT
24 AND THE DEPARTMENT.

25 **§ 20-108. RULES AND REGULATIONS.**

26 (A) *IN GENERAL.*

27 SUBJECT TO TITLE 4 {“ADMINISTRATIVE PROCEDURE ACT – REGULATIONS”} OF THE CITY
28 GENERAL PROVISIONS ARTICLE, THE DEPARTMENT MAY ADOPT RULES AND REGULATIONS
29 TO CARRY OUT THIS SUBTITLE.

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1 (B) *SCOPE.*

2 THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE MAY ESTABLISH:

- 3 (1) PROCEDURES FOR APPLYING FOR AND AWARDING A HEALTHY FOODS GRANT,
4 INCLUDING PROCEDURES FOR REVIEW OF APPLICATIONS OR DETERMINATION OF
5 PRIORITY FOR DISBURSEMENT OF FUNDS;
- 6 (2) PROCEDURES FOR REVOCATION OR SUSPENSION OF A HEALTHY FOODS GRANT
7 UNDER § 20-107 {"REVOCATION OR SUSPENSION"} OF THIS SUBTITLE;
- 8 (3) ADDITIONAL CRITERIA FOR A RETAIL GOODS ESTABLISHMENT TO QUALIFY FOR A
9 HEALTHY FOODS GRANT;
- 10 (4) INVENTORY REQUIREMENTS;
- 11 (5) SPECIFICATIONS FOR ANY AFFORDABILITY STANDARDS REQUIRED UNDER THIS
12 SUBTITLE; AND
- 13 (6) PROCEDURES FOR MONITORING THE USE OF HEALTHY FOODS GRANT FUNDS.

14 **§ 20-109. ANNUAL REPORT.**

15 NO LATER THAN SEPTEMBER 1 OF EACH YEAR, THE DEPARTMENT SHALL SUBMIT A REPORT TO
16 THE MAYOR AND CITY COUNCIL A REPORT ON THE PROGRAMS ACTIVITY AND IMPACT FROM
17 THE PREVIOUS FISCAL YEAR, INCLUDING:

- 18 (1) THE NUMBER OF ESTABLISHMENTS AWARDED A HEALTHY FOODS GRANT IN THE
19 PRECEDING YEAR;
- 20 (2) THE AMOUNT OF FUNDING DISBURSED UNDER THE PROGRAM IN THE PRECEDING YEAR;
- 21 (3) THE LOCATION AND SQUARE FOOTAGE OF EACH RECIPIENT OF A HEALTHY FOODS
22 GRANT IN THE PRECEDING YEAR; AND
- 23 (4) THE NUMBER OF ESTABLISHMENTS, IF ANY, THAT HAVE HAD A HEALTHY FOODS
24 GRANT REVOKED OR SUSPENDED IN THE PRECEDING YEAR.

25 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
26 after the date it is enacted.