



# Maricopa County

## Environmental Services Department

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## Outdoor Food Operations A Plan Review Guideline

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### Introduction

The purpose of this guideline is to inform the owner/operator of a food establishment as to the requirements of an outdoor food operation. The regulations and requirements adopted and contained herein are intended to provide minimum standards for the protection of the health of the people of Maricopa County and to prevent the creation or maintenance of unhealthful, unsanitary conditions to public health and shall be liberally construed to accomplish these purposes.

This document is not all inclusive and facilities and menus will be evaluated on an individual case-by-case basis to determine the needs of the outdoor food operation.

Each outdoor food operation shall be operated in full compliance with all applicable provisions of the Maricopa County Environmental Health Code together with other regulations and all local ordinances governing outdoor food operations.

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### Definitions

**“Outdoor Food Operation”** means and refers to an outdoor cooking, grilling or roasting operation that does not meet the definitions of a “food caterer, mobile, temporary or seasonal-food type establishment” and operates in conjunction with a fixed permitted food establishment that will provide “support services” for the outdoor food location.

The outdoor food site shall be located on the “physical premises” of the fixed permitted support food establishment as defined in the Maricopa County Environmental Health Code.

**“Food Preparation”** means but is not limited to raw, cooked or ready-to-eat food items/ingredients that require rinsing, chopping, slicing, dicing, mincing, cutting, mixing, filleting, marinating, breading, battering, slacking, thawing, juicing, etc.

**“Food Assembly”** means but is not limited to the handling, working with or engaging in activities with raw, cooked or ready-to-eat food items/ ingredients that will be served to the consumer. (I.e. the assembling of food items/ingredients for sandwiches, salads, burritos, tacos, dips, salsa, drinks, etc.)

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## **General Requirements for Outdoor Food Operation**

Outdoor food at an eating and drinking establishment is considered secondary to the operation of the main, fixed food establishment. The purpose of this becomes apparent when faced with inclement weather, breakdown of equipment, or city ordinance that precludes outdoor food activity at certain hours or length of time.

The fixed permitted food establishment must be of sufficient size and have the capability to accommodate its own operation, as well as the support needs of the outdoor food operation. The outdoor food operation shall be conducted only during the “posted” operating hours of the fixed permitted support food establishment.

The fixed permitted establishment must be adequately equipped and capable of cooking and serving food on the outside in a safe and sanitary manner. Any exterior food preparation is prohibited at an outdoor food operation and must be completed within the fixed permitted support establishment.

It is allowed to cook the meat outside, bring it inside the fixed food establishment, cut it into smaller pieces, place it in a covered warming pan, take it outside and hold it at the required temperature, and then serve it to customers.

In order to cook/grill/roast outside, the food service establishment must have equal or greater cooking and hot holding equipment inside the fixed permitted support establishment.

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## **Outdoor Food Site Location**

The final site selected and the method of food service shall be approved by this Department.

The outdoor food area must be located on the physical premises of the fixed, permitted food establishment and cannot be more than 25 feet from the entrance or service doors of the establishment. The outdoor food area shall be located at least 25-feet away from a thoroughfare, and at least 10 feet away from customers or a parking lot. Effective barriers will be required to provide adequate separation.

All food areas shall be protected from contamination and shall be segregated from the public. Patrons must be prevented from accessing areas of the outdoor site where food, food contact surfaces, or equipment are located. All food shall be protected from customer

handling, coughing, sneezing, or other contamination by the use of sneeze guards, shields, or other approved effective barriers.

Hand washing, restroom facilities, and plumbing shall meet Department regulations and requirements.

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### **Procedure to Obtain Approval for Outdoor Food Service**

All outdoor food operations shall be in full compliance with the Maricopa County Environmental Health Code and all other applicable regulations.

Establishments seeking approval for an outdoor food operation shall submit one (1) complete set of plans to the Department for plan review, consistent with the criteria defined in the Maricopa County Environmental Health Code Chapter VIII, Section 2, Regulation 1, subsections 8-201.11 and 8-201.12.

Submit plans at the following location, 1001 N. Central Ave. Ste. 300, Phoenix, Arizona 85004. The Plan Review Office phone number is 602-506-6980.

A construction guideline, application, plan review fees, plan review process and other information can be obtained from our web site: [www.maricopa.gov/envsvc](http://www.maricopa.gov/envsvc). Click on Food Establishments; Plan Review and Construction, located under “Quick Links”.

If you do not have access to the Internet, either visit our office to pick up a copy or call 602-506-6980 to have a copy mailed or faxed to you. Construction guideline packets may be purchased for a nominal fee.

The plan review submittal process shall include the following criteria:

1. One (1) complete set of plans (minimum size 8.5” x 11” or larger) of the outdoor food operation including the interior and exterior layouts of the support establishment and a site location plan.
2. A properly completed application with all applicable documents and request for a variance from the Variance/ HACCP Coordinator. A variance request fee of \$90 is required.
3. A plan submittal fee of \$415.00 is required for the review only of an outdoor food operation. *Note: Establishments already in operation or opening within 15 days of plan submittal will be charged an expedited fee, which is 2x the plan review fee amount.*
4. An intended menu is required including the cooking style, types of food, the number of customers expected, and the time and frequency of the outdoor food operations.
5. A construction and final inspection are required. The outdoor food operation must be in full compliance before approval to operate will be granted.

## Construction and Equipment Standards

Outdoor food operations shall comply with the following minimum standards:

- A. Floors:** Floor surfaces in an outdoor food operation shall be in good repair and graded to drain to an approved sewerage system. Approved flooring materials may be sealed concrete, sealed machine-laid asphalt, or sealed tile. All flooring materials shall be smooth, durable, non-absorbent, and easily cleanable. Effective dust control measures shall be implemented in the vicinity of the outdoor food site. All outdoor food site floor areas shall be washed daily. All flooring materials at outdoor food sites shall be durable to withstand daily steam cleaning or power washing with high pressure water.
- B. Walls:** If there is food service, storage, and/or hot or cold holding performed at the outdoor food site, consideration must be made to environmental conditions to provide adequate food protection. This may be accomplished through the use of waterproof tents with sides, screening, air curtains, block walls, or other approved effective barrier methods.
- C. Overhead Protection:** All outside areas in which food is stored or assembled are required to have overhead protection. Examples of acceptable overhead protection are waterproof tents, canopies, awnings, or permanent structures. Poly-material type tarps would not be permitted for use as overhead protection.
- D. Sneeze Guards, Shields and Barriers:** All sneeze guards, shields, and effective barriers shall be of approved design, materials and construction. They must be of sufficient height to provide protection and be of sufficient strength to prevent collapse. A barrier shall be provided around the food area to prevent food contamination and customer access. The minimum distance between approved “open” type barriers (i.e. Ropes, chains, tables, etc.) and cooking/ food contact surfaces shall at least 5 feet.
- E. Ventilation and Fire Protection:** If necessary, mechanical ventilation of sufficient capacity shall be provided to keep areas free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke, and fumes. Notice: Approval from local/city authorities that govern ventilation and fire protection is required.
- F. Lighting:** Adequate lighting for day and night operations shall be provided. The minimum lighting intensity requirements are 50-footcandles for food and assembly areas. Minimum lighting requirements are 20-foot candles for hand washing, equipment and utensil storage areas, including reach-in refrigeration units. All light bulbs shall be shatterproof or shielded. Consideration should be given at to the type of lighting used during night time hours of operation to reduce insect attraction to the outdoor food area.
- G. Equipment and Food Contact Surfaces:** All outdoor food equipment, including custom-made equipment shall meet construction designs and standards set forth by this Department. Surfaces shall be smooth, easily cleanable, free of rust, dents or pitting, and durable under normal outdoor use conditions. Permanent in-place food equipment shall be provided with lids or covers to protect the equipment and food

contact surfaces from insects, birds, animals, contaminants and inclement weather conditions.

**H. Cooking/ Hot Holding Equipment:** A continuous heat source such as electric, propane, or natural gas is preferred in an outdoor food operation. The use of wood or charcoal is acceptable if consistent temperatures can be achieved and/or maintained in accordance with the Maricopa County Environmental Health Code. Hot holding equipment is not to be used for reheating or cooking. Hot foods must be maintained at a temperature of 130°F or above. Wood or charcoal heat sources shall not be used for the hot holding of cooked food items.

**I. Cold Holding Equipment:** Refrigerators and freezers are required to maintain potentially hazardous foods at or below 41° F and 0°F respectively. The units shall be equipped with approved thermometers. These units must provide mechanical refrigeration and be commercial grade and meet NSF standards. Domestic-type refrigerators and freezers are not approved for food storage.

Cold holding equipment must be capable of holding appropriate temperatures at the outdoor food site during extreme heat. Outdoor cold holding equipment is not to be used for the cooling of any cooked foods. The units are intended for the cold holding only of foods to be cooked outdoors. **The use of ice for refrigeration of potentially hazardous foods is not permitted. Ice chests are prohibited. Ice machines are not permitted outside approved permanent structures.**

Note: It is strongly recommended that potentially hazardous food to be cooked outdoors be brought out from the main kitchen and cooked immediately. This would eliminate the risk of potentially hazardous food reaching hazardous temperatures. (Above 41°F to 130°F)

Refrigeration units, unless designed for such use, should not be located directly adjacent to cooking equipment or other high heat producing equipment which may tax the cooling system's operation. Refrigerators and freezers must maintain internal (cabinet) air temperature of 41°F and 0°F respectively at an ambient air temperature of 100°F or below, with no more than 70% compressor run time. Unless modified, most cold holding equipment is not intended or performance-evaluated to operate in ambient air temperatures in excess of 100°F.

**J. Plumbing:** Install and maintain plumbing according to the 1994 - present Uniform Plumbing Code and local requirements: If a well or septic is used, plans must be submitted to our Department (Water & Waste Management Division) for approval.

**K. Restroom Facilities:** Approved and accessible toilet facilities located inside the permitted establishment shall be located no more than 200-feet from the outdoor food site.

**L. Hand Washing:** Exterior hand washing facilities shall be provided within 25 feet of all exterior workstations and shall be centrally located and easily accessible. Provide hot and cold water or tempered running water (95°F to 105°F) under pressure to all sinks. All sinks must have mixing faucets or valves. Hot water or tempered water shall be provided within 45 seconds to all hand wash sinks. All hand wash sinks shall

be NSF or equivalent and meet department standards. Manufacturer specification sheets shall be submitted for approval of portable hand wash stations. A minimum 5-gallon potable water-dispensing tank and a minimum 7 ½ gallon waste water holding tank are required. The sink must be provided with soap and disposable paper towels. Note: Any and all outdoor food operations will require outdoor hand wash facilities as described above.

**M. Garbage/Refuse Disposal:** An adequate number of non-absorbent, easily cleanable covered waste receptacles shall be provided at each outdoor food site.

**N. Mop Basin, Water and Sewer Facilities:** An approved mop basin/utility sink located inside the fixed permitted establishment shall be located no more than 200-feet from the outdoor food site.

Wastewater from the site shall not be disposed of through storm drains. All liquid and solid wastes including the waste water from a holding tank shall be disposed of in an approved manner by the Department.

Potable water components-tanks, hoses, connections, etc. shall meet the current requirements of the Department and all local regulatory authorities. Also, grease and waste disposal methods shall be approved by local regulatory authorities.

**O. Equipment and Utensil Washing:** Ware washing is not permitted outside. All utensils and cooking equipment used in the outdoor cooking of food must be returned inside to the fixed permitted support establishment for proper cleaning; except that in place cleaning may be allowed for steam tables, grills, and other similar equipment. Sufficient quantities of clean utensils shall be provided to conduct the outdoor food/ serving activities.

**P. Cooking/Grilling Equipment Cleaning:** An approved location shall be provided for the cleaning and sanitizing of the outdoor food equipment.

**Q. Cooking/Grilling Equipment Storage:** An approved location shall be provided for the storage of portable food equipment. The portable equipment shall be properly stored under an approved exterior canopy/enclosure or inside a storage room or receiving area. Proper consideration should be given to protecting the equipment from contaminants and inclement weather.

**R. Insect and Vermin Control:** Insect and rodent control shall be implemented to ensure adequate protection of the outdoor food area and equipment. The outdoor food area shall be properly protected from birds and other animals. Failure to provide adequate insect and vermin control will result in the immediate suspension of the outdoor food operation.

## Menu

A copy of the intended menu is required upon initial plan submittal and a copy of the approved menu is required at time of final approval. A copy of the approved menu will be kept on file by the Department.

Only the cooking, grilling and roasting of food will be allowed outside at permitted establishments. All menu items requiring preparation shall be completed within the fixed permitted support establishment.

All menus, food preparation, food assembly, food handling practices, cooking and food service methods will be evaluated and approved on an individual case-by-case basis.

Many food and beverage menu items may be restricted and food service methods limited at outdoor food operations.

Hot food items cannot be cooled and reused. Cooked, grilled and roasted foods should be immediately served to the customer.

A consumer advisory shall be posted on the menu or in a visible location at the outdoor food location for consumers to read prior to placing orders, if any raw or undercooked animal foods will be served. The consumer advisory shall contain both the disclosure and reminder statements.

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## Food Protection

All foods shall be from an approved source. Home canned, cooked, or prepared foods are prohibited.

Outdoor food operations shall comply with the following minimum food protection standards. The standards are not all inclusive and additional food protection requirements may apply:

- All food must be protected from insects, birds, rodents, animals, and inclement weather conditions. Effective dust control measures shall be taken in the vicinity of all outdoor food service operations.
- All food shall be properly transported in approved covered containers and protected during transport between the indoor preparation site and the outdoor food and serving site. Cold foods shall be received at 41° F or below.
- Food items shall not be stored at an outdoor food site when the site is not in operation. All foods stored outside during cooking or service must be maintained in vermin resistant containers and stored at appropriate temperatures in accordance with the Maricopa County Environmental Health Code.

- Open or uncovered containers of food are not allowed. Condiments must be dispensed in individual single-service type packets, pump dispensers, squeeze bottles, shakers, or similar dispensers which minimize contamination of food items by food workers, patrons, vermin, environmental conditions, or other sources.
- All food preparation shall be completed inside the fixed permitted food establishment. Outdoor assembly of food will be limited to, for example, placing a hamburger pattie on a bun or placing meat and toppings on a tortilla. All outdoor food assembly must be done by the food handler, not the customer.
- The exterior use of cutting boards is not allowed. Outdoor food preparation is prohibited.
- Assembled and prepared foods (e.g. lettuce, tomatoes, fruits, salsa, etc.) shall be placed into individual portioned pre-packaged containers (i.e. small plastic “to-go” salsa containers, plastic clamshell containers, plastic-wrapped food items) for service to the customer.
- When observation or inspection discloses that an establishment is creating a nuisance, such operation shall cease and desist and abate the nuisance.
- Overhead misting systems shall be constructed of approved piping, fittings, and connections and shall be install in a manner to prevent contamination of food and food contact surfaces. Misting systems shall not be installed over cooking equipment, food assembly areas, or food storage areas.
- Thermometers shall be provided and located in a conspicuous place at all times for the taking of hot and cold food temperatures. Cold foods must be held at 41°F or colder. Hot foods must be held at 130°F or hotter.
- Bare hand contact with ready-to-eat foods such as hamburger buns, tortillas, chips, produce, breads, etc. is prohibited. Tongs, utensils, wax paper or single service wraps shall be used to dispense food item.

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