



MARICOPA COUNTY
ENVIRONMENTAL SERVICES DEPARTMENT
1001 N. Central Avenue
Phoenix, Arizona 85004

PERMIT/APPROVAL APPLICATION PROCESS

1. Steps required to obtain a Food or Non-Food permit/approval are provided on this application.
2. The applicable licensing time frames stem from A.A.C 41-1072
The overall time frame for review is 180 days with 60 days for administrative review and 120 days for the substantive review.
3. If there are questions about the application process or assistance is needed please contact a Development Services Technician at 602-506-6984.
4. The Department's website is located at <http://maricopa.gov/EnvSvc/>
5. You may receive clarification from the Department of its interpretation or application of a statute, ordinance, regulation, delegation agreement or authorized substantive policy statement as provided in A.R.S. §11-1609.



Maricopa County Environmental Services Department

Environmental Health Division

1001 N. Central Ave. Suite #300 Phoenix, Arizona 85004

Phone: (602)506-6980

Fax: (602)506-6862

www.maricopa.gov/envsvc

PLAN REVIEW AND VARIANCE APPLICATION – Outdoor Food Operations

Please follow all instructions below to ensure the application packet is complete and to avoid any delays in the variance and plan review process.

SUBMIT (Please refer to the construction guideline for assistance.)

- ✓ One (1) complete set of plans (minimum size 8.5” x 11” or larger) for the outdoor food operation.
- ✓ Variance request fee of \$200.00. The fee is non-refundable and must be paid at time of submittal.
- ✓ Plan Review Fee(s) for the review of the outdoor food location.
- ✓ Include one (1) plumbing site plan (including wells & septic systems if project is not in any city).

ENCLOSE THE FOLLOWING DOCUMENTS:

- ✓ Proposed menu (Including the cooking style, number of customers expected, and frequency of operation)
- ✓ Submit photos of the permitted fixed support establishment, premises and the proposed outdoor food operation location.
- ✓ Finish schedule of outdoor food operation finishes.
- ✓ Plumbing schedule.
- ✓ Plumbing layout showing type and location of equipment with drains.
- ✓ Equipment schedule showing type, manufacturer, and model numbers.
- ✓ Floor plan and equipment layout of the permitted support establishment.
- ✓ Floor plan layout of the outdoor food operation.
- ✓ All equipment shall be clearly labeled on the plans with their common name.
- ✓ Manufacturer specification sheets (cut sheets) for each piece of equipment shown on the plan.
- ✓ Shop drawings of all custom-built equipment.
- ✓ Complete exhaust ventilation plans (HVAC) if required.
- ✓ Lighting plan.
- ✓ Definitions of all existing equipment and finishes.
- ✓ Site location plan showing the location of restrooms, mop basin, alleys, streets, vacant lots, adjacent businesses, and outside equipment (dumpsters, well, septic system, etc.).

VARIANCE REQUIREMENTS:

- ✓ The facility owner/operator shall prove the Maricopa County Environmental Health Code (MCEHC) variance modification will not cause a public nuisance, health hazard, or safety risk.
- ✓ The facility owner/operator may inform the Department of any perceived hardship pertaining to an item found by the Department to be out of compliance, when an alternative method or work offered conforms to the general intent of the MCEHC, and the literal code interpretation for that item creates an unusual or unreasonable burden.
- ✓ The facility owner/operator must submit a separate request for each variance issue and the facility owner/operator must pay the variance processing fee pursuant to the MCEHC fee schedule.
- ✓ Per MCEHC Chapter 1 Section 5, Maricopa County collects a fee for each variance application review. The fee is non-refundable and must be submitted prior to variance application review. Failure to provide the fee will result in a variance denial.
- ✓ Facility owners/operators shall not initiate a variance required food process pursuant to the Maricopa County Environmental Health Code (MCEHC) Chapter VIII, Section 2, Regulation 1, § 3-502.11 or any other affected MCEHC section prior to acquiring Department variance approval. The MCEHC is available online at <http://www.maricopa.gov/envsvc/envhlth.asp>.



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The procedure for obtaining a variance is comprised of the following components:

- a) Variance Application Review. A review of the intended menu and food operations will be conducted by the Variance/HACCP Program to determine if an establishment meets the criteria for outdoor food operation variance approval. If the initial review of the menu and food operations meets the criteria for approval, then the Variance/ HACCP Program will make a written recommendation to the Plan Review Program to begin the second component of the variance review process.
- b) Plan Review Application. An assessment of the permitted support kitchen, outdoor cooking site, food service operation and premises to determine if the establishment meets the minimum physical facilities requirements for an outdoor food operation variance to be issued. This component is conducted by Plan Review Program and requires a plan and fee submittal.
- c) Official Written Approval. Once the Plan Review Program determines that an establishment meets all the minimum criteria to conduct outdoor food operations, the Department will issue official written approval. Within this official notification will be stipulations that the establishment shall abide by. Failure to abide by these requirements may lead to the variance being withdrawn and violations being documented.

An establishment may not begin or resume outdoor food operations until the plan review and variance approval process is completed. Once final approval has been given, the establishment may conduct outdoor food operations within the approved parameters.

No establishment shall commence construction or operation of the outdoor food operations unless the required plans and variance request have been approved. It shall be the full responsibility of said establishment that construction and variance requirements shall be in conformance with the approved plans and specifications.

The approval of plans and specifications shall lapse and become invalid one year from the date of approval unless a substantial portion of the work described in the plans and specifications has commenced by such anniversary date. An approval of plans and specifications can be renewed for one year if an application for renewal is submitted within 180 days of expiration. A fee equal to one-half (1/2) of the initial plan review fee is paid. The approval will be effective for one year from the date of expiration.

Should it be necessary or desirable to make any material change in the approved plans and specifications, revised plans and specifications shall be submitted to the Department for review, and approval shall be obtained before the work affected by the change is undertaken.

Maricopa County Environmental Services Department follows the review time frames outlined in the Arizona Administrative Code Title 9, R9-8-104. Variance requests may take up to the maximum time frame allowed under the code.

A Notice of Deficiencies is a request from the Department to provide more information about the variance request. This application will be considered withdrawn if this additional information is not received by the Department within 180 calendar days from the date of the request.

For questions, please contact the Plan Review Program at (602)506-6980 or the Variance/ HACCP Program Coordinator at (602)506-6972. Additional information may be obtained from at www.maricopa.gov/envsvc



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ILLEGIBLE OR INCOMPLETE PLAN SUBMITTALS WILL BE REJECTED!

Provide all requested information below (Please Print).

Business Name:

Business Address:

City:

Zip Code:

Business Phone:

Business Fax:

Business Owner Name (e.g. LLC, Corp, or Sole Proprietor):

Business Owner Address:

City:

State:

Zip Code:

Business Owner Phone:

Business Owner Fax:

Business Owner Email:

Billing Name:

Billing Address:

City:

State:

Zip Code:

Billing Phone:

Billing Fax:

Billing Email:

Start Date of the Project:

Projected completion Date:

Please provide contact information for variance and plan review response letters:

Name:

Address:

City:

State:

Zip Code:

Phone:

Fax:

Email:

Preferred

Email

Fax

U.S. Mail



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Delivery of Inspection Reports

Pursuant to A.R.S. § 41-1009, the Department may enter your establishment to conduct inspections. You have the right to receive a copy of the Department’s inspection report at the time of the inspection, within thirty (30) days after the inspection, or as otherwise provided by federal law. By signing below, I agree that the Department may send me a copy of its inspection report by e-mail to the following email address or by facsimile transmission to the following fax number. It is the responsibility of the permit holder to update the Department if there is a change in contact information.

Email Address:	
Fax Number:	Signature:

I hereby certify that the above information in the application is correct and these documents comply with the Maricopa County Environmental Health Code (MCEHC), and I fully understand that any deviation from the above without prior permission from these Environmental Health Regulatory Programs may nullify final approval.

I understand until such time as this variance is granted, I must cease operations that require a variance. I understand that by submitting this application and the fee in no way guarantees my variance will be approved. Also, the Department may initiate action to withdraw my variance if it is granted and an unforeseen health hazard occurs as a result of the variance. A violation associated with an approved variance may result in action being initiated by the Department to withdraw any granted variance, at which time a hearing may be requested pursuant to the MCEHC. Upon a withdrawal, the variance operation will immediately cease and desist until another variance is obtained.

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Signature Printed Name Date



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Notice: Approval of these plans and specifications by this Regulatory Authority does not indicate compliance with any other code, law or regulation that may be required - federal, state, or local. It further does not constitute endorsement or acceptance of the completed establishment (structure or equipment). Multiple construction inspections and a final inspection of the establishment with equipment in place and operating will be necessary to determine if it complies with the Maricopa County Environmental Health Code governing establishments. Once the Plan Review Program determines that an establishment meets all the minimum criteria to conduct outdoor food operations, the Department will issue official written approval. Within this official notification will be stipulations that the establishment shall abide by. Failure to abide by these requirements may lead to the variance being withdrawn and violations being documented.

Office Use Only

Application Fees (*Fees are Subject to Change*):

Quantity	Application Type	Fee	As-Built	Expedite		Total Fee
	Outdoor Food Operations	\$245.00	\$245.00	<input type="checkbox"/>	<input type="checkbox"/>	n/a
	Variance Request	\$200.00	\$200.00	<input type="checkbox"/>	<input type="checkbox"/>	n/a
				<input type="checkbox"/>	<input type="checkbox"/>	\$
				<input type="checkbox"/>	<input type="checkbox"/>	\$
				<input type="checkbox"/>	<input type="checkbox"/>	\$
				<input type="checkbox"/>	<input type="checkbox"/>	\$
				<input type="checkbox"/>	<input type="checkbox"/>	\$
				<input type="checkbox"/>	<input type="checkbox"/>	\$
	Plan Review Permit Extension	½ Original plan review fee				\$

Total Fees Due	\$
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Business Name:		
Business Address:		
Submittal Date:		Site Location:
Plan Review District:		
Permit Number	Establishment Type	Related Permit



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PLAN REVIEW AND VARIANCE APPLICATION – Outdoor Food Operations

PLR/HACCP



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PLAN REVIEW AND VARIANCE APPLICATION – Outdoor Food Operations

A.R.S. §11-1602: REGULATORY BILL OF RIGHTS

A. TO ENSURE FAIR AND OPEN REGULATION BY COUNTIES, A PERSON:

1. IS ELIGIBLE FOR REIMBURSEMENT OF FEES AND OTHER EXPENSES IF THE PERSON PREVAILS BY ADJUDICATION ON THE MERITS AGAINST A COUNTY IN A COURT PROCEEDING REGARDING A COUNTY DECISION AS PROVIDED IN A.R.S. §12-348.

2. IS ENTITLED TO RECEIVE INFORMATION AND NOTICE REGARDING INSPECTIONS AS PROVIDED IN A.R.S. §11-1603 (*EFFECTIVE JUNE 30, 2012*).

3. IS ENTITLED TO HAVE A COUNTY NOT BASE A LICENSING DECISION IN WHOLE OR IN PART ON LICENSING CONDITIONS OR REQUIREMENTS THAT ARE NOT SPECIFICALLY AUTHORIZED AS PROVIDED IN A.R.S. §11-1604.

4. MAY HAVE A COUNTY APPROVE OR DENY THE PERSON'S LICENSE APPLICATION WITHIN A PREDETERMINED PERIOD OF TIME AS PROVIDED IN A.R.S. §11-1605 (*EFFECTIVE DECEMBER 31, 2012*).

5. IS ENTITLED TO RECEIVE WRITTEN OR ELECTRONIC NOTICE FROM A COUNTY ON DENIAL OF A LICENSE APPLICATION (*EFFECTIVE DECEMBER 31, 2012*):

(A) THAT JUSTIFIES THE DENIAL WITH REFERENCES TO THE STATUTE, ORDINANCE, REGULATION, DELEGATION AGREEMENT OR AUTHORIZED SUBSTANTIVE POLICY STATEMENTS ON WHICH THE DENIAL IS BASED AS PROVIDED IN A.R.S. §11-1605.

(B) THAT EXPLAINS THE APPLICANT'S RIGHT TO APPEAL THE DENIAL AS PROVIDED IN A.R.S. §11-1605.

6. IS ENTITLED TO RECEIVE INFORMATION REGARDING THE LICENSE APPLICATION PROCESS AT THE TIME THE PERSON OBTAINS AN APPLICATION FOR A LICENSE AS PROVIDED IN A.R.S. §11-1606.

7. MAY INSPECT ALL ORDINANCES, REGULATIONS AND SUBSTANTIVE POLICY STATEMENTS OF A COUNTY, INCLUDING A DIRECTORY OF DOCUMENTS, AT THE OFFICE OF THE COUNTY OR ON THE COUNTY'S WEBSITE AS PROVIDED IN A.R.S. §11-1607.

8. UNLESS SPECIFICALLY AUTHORIZED, MAY EXPECT COUNTIES TO AVOID DUPLICATION OF OTHER LAWS THAT DO NOT ENHANCE REGULATORY CLARITY AND TO AVOID DUAL PERMITTING TO THE MAXIMUM EXTENT PRACTICABLE AS PROVIDED IN A.R.S. §11-1604.

9. MAY FILE A COMPLAINT WITH THE BOARD OF SUPERVISORS CONCERNING AN ORDINANCE, REGULATION OR SUBSTANTIVE POLICY STATEMENT THAT FAILS TO COMPLY WITH A.R.S. §11-1602.