



Report to the Board of Health To Initiate Regulatory Change

Prepared by the Maricopa County Environmental Services Department



Environmental Services
Department

Case #/Title: ES-2013-001 / Experimental Food Service Permit

Meeting Date: April 22, 2013

Supervisor Districts: All Districts

Applicant: Department

Request: To align with Chairman Kunasek's vision of "adaptive reuse", the Department is proposing the creation of a new food service permit that may accommodate food service establishment design concepts not specifically allowed for by Maricopa County Environmental Health Code regulations.

Support/Opposition: Industry has shown their support of this case from the onset. They have been actively involved in the initial development, have provided valuable feedback, and have voiced their understanding of the value it provides. No opposition has been expressed. Only constructive input into the details of the case.

Department Recommendation: **Initiate**

Discussion:

To align with Chairman Kunasek's vision of "adaptive reuse", the Department is proposing the creation of a new food service permit that may accommodate food service establishment design concepts not specifically allowed for by Maricopa County Environmental Health Code regulations. The 2009 FDA Food Code allows for modifications and waivers but does not define their application to specific items. The new permit type, with a working title of 'Trial Review Permit', would allow a prospective restaurant owner the option to submit their drawings and management plan addressing any food safety and sanitation hazards not in line with regulations as a result of the establishment's unique or novel design/layout. The permit would have a limited duration. If the applicant is able to demonstrate sufficient control of the hazards during the life of the Trial Review Permit, the business would transfer into a standard food service permit with stipulations incorporated into a variance. If control of the hazards is not met, the owner will be required to make necessary modifications in order to qualify for a standard food service permit. Maricopa County Environmental Services will work closely with industry and stakeholders to refine this conceptual permit. If the initiation of this case is approved, the Department will work with industry to draft proposed code language.

This proposed regulatory change will follow the Enhanced Regulatory Outreach policy and workflow process.

The County Manager briefed the brief the Board of Supervisors in February 2013.

A stakeholder meeting was conducted February 13, 2013.

Department Recommendation:

Staff recommends the Board of Health approve **initiation** of the proposed revision to the Maricopa County Environmental Health Code.

Presented by: John Kolman, R.S., MBA, Director

Attachments: Presentation – Stakeholder Meeting (2/13/13) – (12 Pages)
Minutes – Stakeholder Meeting (2/13/13) – (4 Pages)



Trial Review Food Service Permit

Environmental Health Division

Maricopa County Environmental Services Department



Maricopa County Environmental Services Department

**Working with our community
to ensure a safe and healthy environment**

VISION STATEMENT:

As the recognized regional environmental leader, we will develop and foster innovative environmental health protection programs for the safety of our residents and their environment.

MISSION STATEMENT:

The mission of the Environmental Services Department is to provide safe food, water, waste disposal and vector borne disease reduction controls to the people of Maricopa County so that they may enjoy living in a healthy and safe community.



Permit Scope

- To provide a permitting option in which the Department can review a novel design item not in line with code regulations
- Owner will have to describe how the hazards of concern are controlled for in their application
- Owner will have to demonstrate active managerial control of these items during the review period
- Voluntary on the part of the applicant
- Transitions into a regular permit with an incorporated variance



Eligibility

- Regulatory items eligible for review under this permit include:
 - Structural items (e.g. building barriers)
 - Custom Equipment
 - Unique Architectural Designs (e.g. novel finishes)
 - Alternative Equipment Systems (e.g. hot water generation)



Eligibility

- Regulatory items not eligible for review under this permit include:
 - Food temperature control items
 - Personal hygiene control items
 - Chemical/Reagent items
 - Any item directly related to CDC risk factors
 - Any item the Department determines could adversely impact public health
 - Any establishment that serves a highly susceptible population



Attributes

- Initiated by application submittal
- Full plan review process and fees are required for permit approval
- All licensing timeframe rules apply to the application review
- Full compliance with regulations not part of the trial review is required for permit approval
- Separate permit fee is required upon approval
- 6 month expiration upon issuance
- 2-3 inspections conducted during trial period



Compliance

- Department will determine through the application/plan review if the proposed managerial plan addresses the hazards of concern
- Once the final plan is approved, construction inspections are complete, and the permit fee is paid, the permit is issued



Compliance

- Department will monitor compliance with the approved managerial plan and the health code through inspections during the trial period
- Deficiencies will be documented during inspections
- During the last month of the permit cycle, the Department will review the compliance history to determine if the hazards of concern have been controlled for



Compliance

- If the Department approves the continued use of the managerial control plan, the business will be transitioned into a regular 12 month permit
- The managerial plan will be formalized into a Department issued variance attached to the new permit
- The owner will pay a separate fee for the new permit



Compliance

- If the Department denies the continued use of the managerial control plan, the business will be required to close upon the permit expiration date
- If the owner chooses to continue their business, they would submit a new permit application, with applicable fees, and be required to come into full compliance with the health code
- An owner cannot apply for a second experimental permit for the same business



Denials/Appeals

- Appeals process for permit denials are defined in A.R.S. §11-1601 through §11-1610 and the Maricopa County Establishing Licensing Timeframes Ordinance (No. P-30)



Questions?

Robert Stratman, M.S., R.S.

Maricopa County Environmental Services Department

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Environmental Services Department



Public Meeting Experimental Food Service Permit Wednesday February 13, 2013 2:00pm

Stakeholder Present: Sherry Gillespie – AZ Restaurant Assoc, Kara Sundeen – Fox Restaurant, Leezie Kim – Fox Restaurant.

Staff Present: Steven Goode – Deputy Director, Robert Stratman – Environmental Health Operation Supervisor, Hether Krause – Enforcement Operation Supervisor, Caroline Oppleman – Quality & Compliance Management Analyst, Lene Pope – Quality & Compliance Development Services Technician.

Presenter: Robert Stratman

Minutes:

A brief explanation of the County's Enhanced Regulatory Outreach Program (EROP) was given, along with information on how to make and receive comments from the site. The code revision process might take a little longer, but it will be transparent.

The title on the EROP site is "Experimental Food Service Permit", we will most likely be changing the name to "Trial Permit" which is more in line with what the intent of the permit is. We want to provide a permitting option in which the Department can review novel design items not in line with code regulations. The owner will have to demonstrate active managerial control of these items during the review period. Submitting plans for the "Trial Permit" will be similar to a regular permit, but the length of the permit and the outcome will be different. If success of the Trial Permit items has been demonstrated, then we will transition into a regular permit with an incorporated variance.

Some regulatory items eligible for review under this permit include: Structural items (e.g. building barriers), Custom Equipment (non food safety related), Unique Architectural Designs (e.g. novel finishes), Alternative Equipment Systems (e.g. hot water generation). Our main focus will be from a public health perspective and making sure that food safety has not been compromised.

- If any items were to come up that's not listed here, would it still be considered?
 - Yes, we are just outlining a few examples. When it comes down to rule writing, we will consider any item that the Department determines NOT to adversely impact public health, and will try to come up with language that is clear to state that.

There are regulatory items that will not be eligible for review under this permit, and they include: Food temperature control items, Personal hygiene control items, Chemical/Reagent items, any item directly related to CDC risk factors, any item the Department determines could adversely impact public health, any establishment that services a highly susceptible population (e.g. hospital, school, nursing home).

- Going back to what started this, the question about fly fans, what category would that fall into?
 - That would be considered "Structural" or "Building barrier". It is not directly related to a core food safety item that we are trying to protect.

The attributes of how we envision the permit structurally, will be initiated by application submittal, full plan review process and fees are required for permit approval. All licensing timeframe rules apply to the application review. Full compliance with regulations not part of the trial review is required for permit approval. A separate permit fee is required upon approval, and we are likely looking at 6 months expiration upon issuance. The amount of inspections that will be conducted during the trial period will be around 2-3, and we will be assessing the managerial plan over that six month period.

- If compliance is granted after the six months trial period, would you pay the regular permit fee?
 - Yes, the fees you paid were to cover for the trial period, and that fee will be based on the work that was conducted within that six months. The regular permit fee is paid up front and covers the next 12 months.
- So the trial permit fee will include 3 inspections?
 - Correct. Everything ties back to the workload.
- Do you have any ideas of how much that fee would be?
 - Our full service permit fee is around \$1000, so we would probably be looking around the \$400-\$500 range. But nothing has been determined yet. We would have to set the number of inspections required, and that would be included in the determination.
- AZ Restaurant Assoc. is looking into the requirement of the inspections that will be conducted during the trial period, and perhaps 3 inspections will be too much. Can the inspections be part of the regular inspections that normally would occur within those 6 months, that way only 2 inspections will be needed?
 - The inspections will be conducted by the assigned regional offices, and will be seen as any other routine inspection. Full compliance will be determined and evaluating the managerial control plan for the "trial" permit will be conducted as well. That is not any different than what is already done. If after the 6 months everything is great, we will be formalizing the managerial plan into a regular permit with an attached variance. It is still outside of code, but the six months allows the establishment to demonstrate that the "hazard" can be controlled. The inspections conducted will be very similar to any other place that has a variance.
- So the establishment is not really paying any more money for the permit, since all fees are paid up front it will just be pushing it out 6 months?
 - That is correct. You will just be paying for 6 months of a permit first instead of the normal 12 months. The inspections may come down to 2, but toward the end we would have to conduct a "case study".
- AZ Restaurant Assoc. is just trying to avoid any more inspections than necessary, and trying not to have a fee that would be too high. So the fee for the 6 months would not just be for the variance, it would be like half a normal permit fee?
 - We are still looking into any exact fees, and also how we can transition into a variance permit.
- So the size of the restaurant will still be factored into the fee determination?
 - Yes.

This concept is strictly voluntarily and if we already have an approved variance for the particular item, then that might be the more economical way to go. This new trial permit is for "novel" items that don't already exist as a variance. The FDA has protocols in place for certain items and we have a guideline to go by when reviewing that, in this case there is no guideline and we'll have to establish that.

Compliance: The Department will monitor compliance with the approved managerial plan and the health code through inspections during the trial period. Deficiencies will be documented during inspections. During the last month of the permit cycle, the Department will review the compliance history to determine if the hazards of concern have been controlled for. If the Department approves the continued use of the managerial

control plan, the business will be transitioned into a regular 12 month permit. The owner will pay a separate fee for the new permit.

If the Department denies the continued use of the managerial control plan, the business will be required to close upon the permit expiration date. If the owner chooses to continue their business, they would submit a new permit application, with applicable fees, and be required to come into full compliance with the health code. An owner cannot apply for a second experimental permit for the same thing, but each case is different.

- When you are looking at violations, how are they counted? Will they be counted individually or cumulative?
 - We haven't looked into any enforcement actions on this trial permit yet, and we welcome any comments on this. The way violations are currently written on a regular permit, they are looked at individually. If you are in violation with violation #20 and the next time you are in violation with #14, those are separate violations. You have to have 4 consecutive violations of the same number to have your permit revoked.
- What if one refrigerator is broken on the first inspection, corrected and fixed on the next inspection. But then on the second inspection another refrigerator is broken, it is the same type of violation, but on a separate unit, how will that be counted?
 - It will be tough to account for that, because it is the same category of violation. From a public health standpoint, if a piece of equipment is faulty on one inspection and part of the corrective action is, that you as the operator is to make sure that you are up to speed on all your equipment. The corrective action discussed is not just for one piece of equipment, it includes all.
- What will constitute a denial of the trial permit?
 - That is something we will have to work out, language for the code will have to be made up. We are currently not to that point yet. However, we will not allow any facility to enter into this with a major risk or public health item.
- If it has been determined that the managerial control plan will not work out, and the establishment will have to go back to the retrofit plan. Is there any way to make the time period a little longer?
 - In those cases, it would be helpful if the establishment already had a plan in place. There are already some permit denial items in place, and those would apply to this as well. But there are several things that we can do along the way to help with this.
- This is a really good thing that the Department is doing, and it shows that you are open to innovations, and it will not cost the taxpayers anything. We think that the industry will really support this. We are just a little worried that closing an establishment down can be really costly for the place. So if the establishment already had the backup plan in place, could the closing be avoided?
 - There currently are existing things in place that could be utilized, such as settlement agreements and such. But we also want to make sure that it is known that there is a "risk-reward" going into this. So going into this with an open mind will be helpful.
- As of right now, how long would an establishment have to fix a corrective action?
 - It depends on the category of violation. Some could be 10 days, other could be immediately.
- What if it was a less severe violation, not a health risk?
 - Typically it would need to be fixed before the next routine inspection. But the trial permit only has a 6 month lifecycle, so it would be a little different here.
- What if an establishment discovers 3 months into the trial period that the variance item will not work out for them, could they sever the trial permit voluntarily and get a new permit? The concern from the industry is that they don't ever want to be in a position where they have to close, so if there are other ways to work with the Department to avoid that.

- The Department has already talked about this, and there might be a way that could work. There are a few options that we are looking into. We would have to look at what the item is, and work from there. Before the trial permit is issued, the Department has to make sure that it meets the minimum requirements. During the transition we'll work with the establishment to find out what "tool" works best. We don't want to close an establishment either, but we want to make sure that it is know that we take this very seriously.
- How long into the 6 months trial period would a determination be made?
 - We haven't come up with an exact day yet, that is something that will need to be determined. But it would likely happen somewhere after the 5th month.
- The industry feels that any establishment will be devastated from closure of the facility, so if there are some language that could be included into the code that would state a minimum time period to correct things might be helpful. As long as people would know that they have a chance to correct things might appeal more to establishments.
 - Those are all things that we will consider when writing this into code, coming up with a language that everyone will understand and without being too specific. During the plan review process items like this will also be addressed.

Hopefully this meeting covered most of the items that we are trying to accomplish with this permit.

- You have done an amazing job putting this together. From an optic perspective, this is very innovative, applying new technology and new ideas to the current system in a way that does not cost the taxpayers anything. You are seeking input from the stakeholders and business community to be considered. The elective officials and public should really like this. The safety and public health is being retained, but are encouraging innovation, that is fantastic. This is a big deal for the industry. This is a classic example of a public-private partnership that works both ways.

The next Board of Health meeting is April 22nd, so the rule writing will be around that time. We will conduct another stakeholder meeting after the draft language of the rule has been written. September is when we are looking at getting this passed.

Meeting adjourned.



Report to the Board of Health To Initiate Regulatory Change

Prepared by the Maricopa County Environmental Services Department



Environmental Services
Department

Case #/Title: ES-2013-002 / Revisions to Maricopa County Environmental Health Code – Misspellings/Spacing throughout the Code and Reorganizing, Updating, and Definitions/Application in Chapters 1, 8 and 10

Meeting Date: April 22, 2013

Supervisor Districts: All Districts

Applicant: Department

Request: Revise the Maricopa County Environmental Health Code to clarify defined terms, remove unnecessary items and edit to improve readability. No fee changes are requested.

Support/Opposition: This case proposes changes that will help provide clarity and added flexibility when working with customers. Through the initial stakeholder meetings, no opposition was expressed regarding this case. Stakeholders present voiced their understanding of the proposed changes and how these changes would positively affect their industry.

Department Recommendation: **Initiate**

Discussion:

Maricopa County Environmental Health Code – All Content

- Misspellings. Currently, there are misspellings and spacing errors found throughout the Environmental Health Code. For professionalism and clarity, we will correct all misspellings and spacing errors. These revisions also will include changing the specified Food Processor permit type language to Food Production.

Chapter 1, General Provisions

- Reorganize the fee table, Water and Waste Management Division section, by annual permit categories, followed by plan review to reduce redundant fee lines. Fees used by multiple programs will be shown one time. The reorganization will ease customer ability to identify applicable fees in the code.

- Remove the reference to liquor license. The Department no longer has liquor licenses. Therefore, to prevent customer confusion, we will remove all references to liquor licenses.
- Revise the definition of "Notice," to provide consistency and clarity and eliminate confusion regarding its meaning and use. Notice currently is used both as a defined and general term.

Chapter 8, Food, Food Products, Food Handling Establishments

- Permit Classification Definitions – Revise Section 1, Regulation 1 (25) to clarify permit classification definitions. Presently, the permit classification definitions include subjective indicators, which can be replaced with objective factors, e.g., when setting food item criteria, specify "TCS/PHF." Providing objective criteria where possible, will help to more accurately and consistently determine permit fees. Some permit classification changes may be affected following criteria determination.
- Promotional Food Definition – Revise Section 3, Regulations 1 and 12 regarding the promotional food definition. Correct contradictory language and remove ambiguous regulatory language throughout Chapter 8 regarding the promotional food definition to provide clarity and consistency.
- Pushcart Definition – Revise Section 1 and Section 3, Regulation 1. Revisions would expand the definition of a pushcart to reduce the number of menu variances. Some menu items currently are being approved under a variance because of the permit definition. Since these menu items are almost always approved, incorporating them into the definition can reduce the number of variances.
- Seasonal Application of Annual Special Events Permit – Revisions to Section 1, Regulation 1 (46)(f) and Section 3, Regulation 1.a.(6). Revisions would expand the use of the Special Event Food Establishment Permit for Seasonal Food Duration Events and Farmer's Markets where an onsite commissary arrangement is in place. This revision expands use of the new Special Event Annual Permit at additional events.

Chapter 10, Residence Accommodations

- Public Accommodations Definition – Revise the chapter to address the definition of public accommodations. Clarification is needed to delineate a public accommodation from an apartment or similar type of facility, including length of stay and contract information. Currently, there are facilities permitted as public accommodations which are operating as apartments or long-term stay facilities.

This proposed regulatory change will follow the Enhanced Regulatory Outreach policy and workflow process.

The County Manager briefed the Board of Supervisors in February 2013.

A stakeholder meeting was conducted on March 5, 2013.

Department Recommendation:

Staff recommends the Board of Health approve **initiation** of the proposed revision to the Maricopa County Environmental Health Code.

Presented by: John Kolman, R.S., MBA, Director

Attachments: Proposed Code Revision Language (27 Pages)
Presentation – Stakeholder Meeting (3/5/13) – (39 Pages)
Minutes – Stakeholder Meeting (3/5/13) – (2 Pages)

MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

CHAPTER I

GENERAL PROVISIONS

REGULATION 1. to REGULATION 3. No Change

REGULATION 4. Permits, Service, and Other Requirements

a. to d. No Change

e. In cases where the Department requires the submission of plans and specifications, no person shall commence construction unless the required plans have been approved. It shall be the full responsibility of said person that construction ~~be~~IS in conformance with the approved plans and specifications.

f. to j. No Change

REGULATION 5. Fees

a. to c. No Change

D. FEE SCHEDULE: Fees shall be paid according to the following table:

**CHAPTER I
MARICOPA COUNTY HEALTH CODE – FEE SCHEDULE**

Effective August 1, 2010

ENVIRONMENTAL HEALTH DIVISION

Food Environmental Health Operating Permits	Permit Subtype	1 Year Fee
No Change	No Change	No Change
Food Environmental Health Operating Permits	Permit Subtype	1 Year Fee
Food Processor <u>PRODUCTION</u>	Class 2	No Change
Food Processor <u>PRODUCTION</u>	Class 4	No Change
Food Processor <u>PRODUCTION</u> School	Class 2	No Change
Food Processor <u>PRODUCTION</u> School	Class 4	No Change

No Change	No Change	No Change
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Food Environmental Health Operating Permits	Permit Sub Type	One Time Fee
Liquor License		\$45.00
No Change	No Change	No Change

Non-Food Environmental Health Operating Permits	Permit Subtype	1 Year Fee
No Change	No Change	No Change
Trailer Park		\$200.00
No Change	No Change	No Change

Food Service Licensing	Fee
No Change	No Change

Environmental Health Plan Review	Subtype	Fee
No Change		

WATER & WASTE MANAGEMENT DIVISION

Water and Waste <u>MANAGEMENT DIVISION</u> Plan Review	
<u>Plan Review Hourly Rate</u>	<u>\$130.00 per hour</u>
<u>Investigation Hourly Rate</u>	<u>\$130.00 per hour</u>
<u>Plan Review Options: (requires approval prior to project submittal)</u> <u>Expedited Plan Review – For plan review of a project that requires expediting.</u> <u>Phased Plan Review – For plan review of a project where the design is executed in phases and requires multiple approvals to be issued</u> <u>Design/Build Plan Review — For plan review of a project that is executed using a design/build methodology.</u> <u>An applicant may elect to have the project reviewed as an expedited and/or, if applicable, a phased or design/build plan review. Selecting an expedited, phased or design/build plan review option doubles the flat, initial and maximum fee amounts and the plan review hourly billing rate. Selecting an expedited plan review option in combination with a phased or design/build plan review option quadruples the flat, initial and maximum fee amounts.</u> <u>The amount due when a project is initially submitted for review and approval is based on the fee item(s) flat/initial fee amount, the fee item quantities specified and the selected expedited, phased or design/build plan review options. For projects that include fee items</u>	

with initial/maximum fees (i.e. billable projects), the maximum amount that may be charged for the project is based on the fee item(s) maximum fee amount, the fee item quantities specified and the selected expedited, phased or design/build plan review options.

Design/Build Plan Submittal (Requires prior administration approval) Two times Plan Review Fee

Phased Plan Submittal (Requires prior administration approval) Two times Plan Review Fee

Expedited Plan Review Fee (Requires prior administration approval) Two times the fee for that Category

Swimming Pool <u>PROJECTS</u> Plan Review	<u>Subtype FLAT OR INITIAL FEE</u>	<u>MAXIMUM Fee</u>
<u>Swimming Pools/Special Use Pools</u>		
<u>≤ 1,000 sq. ft. Swimming Pools/Special Use Pools</u>	<u>≤ 1,000 sq. ft. \$770.00</u>	<u>\$770.00 NA</u>
<u>1,001-2,000 sq. ft. Swimming Pools/Special Use Pools</u>	<u>1,001-2,000 sq. ft. \$1,180.00</u>	<u>\$1,180.00 NA</u>
<u>2,001-9,999 sq. ft. Swimming Pools/Special Use Pools</u>	<u>2,001-9,999 sq. ft. \$2,205.00</u>	<u>\$2,205.00 NA</u>
<u>10,000 sq. ft. Swimming Pools/Special Use Pools</u>	<u>10,000 sq. ft. \$6,460.00</u>	<u>\$6,460.00 NA</u>
<u>Swimming Pool Remodel</u>		
<u>Simple Swimming Pool Remodel (NO BELOW GRADE PLUMBING CHANGES)</u>	<u>Simple \$165.00</u>	<u>\$165.00 NA</u>
<u>Complex Swimming Pool Remodel (INCLUDES BELOW GRADE PLUMBING CHANGES)</u>	<u>Complex \$440.00</u>	<u>\$440.00 NA</u>
<u>Swimming Pool Fence Remodel</u>	<u>\$330.00</u>	<u>NA</u>
Swimming Pool Pump Test Variance	<u>\$335.00</u>	<u>\$335.00 NA</u>
Swimming Pool Variance	<u>\$200.00</u>	<u>\$200.00 NA</u>
<u>Swimming Pool Fence Remodel</u>		<u>\$330.00</u>
Swimming Pool Operating Permits	Permit Subtype	1 Year Fee
No Change	No Change	No Change

Solid Waste Operating Permits	Permit Subtype	1 Year Fee
Refuse Collection Variance Container Permit	No Change	No Change
<u>Chemical Toilet</u>		
<u>Chemical Toilet 1 through 99 units</u>	<u>1 through 99 units</u>	<u>\$5.00 per unit</u>
<u>Chemical Toilet 100 through 199 units</u>	<u>100 through 199 units</u>	No Change
<u>Chemical Toilet 200 through 349 units</u>	<u>200 through 349 units</u>	No Change
<u>Chemical Toilet 350 through 499 units</u>	<u>350 through 499 units</u>	No Change

<u>Chemical Toilet 500 through 999</u>	<u>500 through 999 units</u>	No Change
<u>Chemical Toilet 1000 through 1499</u>	<u>1000 through 1499 units</u>	No Change
<u>Chemical Toilet 1500 through 1999 units</u>	<u>1500 through 1999 units</u>	No Change
<u>Chemical Toilet 2000 through 2499 units</u>	<u>2000 through 2499 units</u>	No Change
<u>Chemical Toilet 2500 through 2999 units</u>	<u>2500 through 2999 units</u>	No Change
<u>Chemical Toilet 3000 through 3499 units</u>	<u>3000 through 3499 units</u>	No Change
<u>Chemical Toilet 3500 through 3999</u>	<u>3500 through 3999 units</u>	No Change
<u>Chemical Toilet 4000 through 4499</u>	<u>4000 through 4499 units</u>	No Change
<u>Chemical Toilet 4500 through 4999</u>	<u>4500 through 4999 units</u>	No Change
<u>Chemical Toilet 5000 and up</u>	<u>≥5000 and up units</u>	No Change
Non-Hazardous Liquid Waste Hauler		No Change
<u>NON-HAZARDOUS SOLID WASTE HAULER</u> Refuse Hauler		No Change
Landfill		No Change
<u>BIO-HAZARDOUS</u> Medical Waste Haulers		No Change

WATER AND WASTE MANAGEMENT DIVISION OPERATING PERMITS

Drinking Water Operating Permits	1 Year Fee
Community Public Water System >100,001 Population	No Change
Plus Each Well Site Addition	No Change
Plus Each Treatment <u>FACILITY Plant</u> -Addition	No Change
Community Public Water System 10,001 to 100,000 Population	No Change
Plus Each Well Site Addition	No Change
Plus Each Treatment <u>FACILITY Plant</u> -Addition	No Change
Community Public Water System 1,001 to 10,000 Population	No Change
Plus Each Well Site Addition	No Change
Plus Each Treatment <u>FACILITY Plant</u> -Addition	No Change
Community Public Water System 101 to 1000 Population	No Change
Plus Each Well Site Addition	No Change

Drinking Water Operating Permits	1 Year Fee
Plus Each Treatment FACILITY Plant -Addition	No Change
Community Public Water System 25 to 100 Population	No Change
Plus Each Well Site Addition	No Change
Plus Each Treatment FACILITY Plant -Addition	No Change
Non Community Public Water System > 1,000 Population	No Change
Plus Each Well Site Addition	No Change
Plus Each Treatment FACILITY Plant -Addition	No Change
Non Community Public Water System 25 to 1000 Population	No Change
Plus Each Well Site Addition	No Change
Plus Each Treatment FACILITY Plant -Addition	No Change
Water Transportation (DRINKING WATER Hauler)	\$240.00 <u>per unit</u>

Wastewater Treatment Operating Permits	1 Year Fee
Individual On-Site Treatment Plant	\$100.00
Waste Treatment Works	No Change
Reuse Facility	No Change
Individual On-Site Treatment Plant	\$100.00

<u>OTHER OPERATING PERMITS</u>	<u>1 Year Fee</u>
Trailer Park MOBILE HOME PARK	\$200.00

Water and Waste Plan Review
Design/Build Plan Submittal (Requires prior administration approval) Two times Plan Review Fee
Phased Plan Submittal (Requires prior administration approval) Two times Plan Review Fee
Expedited Plan Review Fee (Requires prior administration approval) Two times the fee for that Category

Solid Waste <u>PROJECTS</u> Plan Review	Initial Fee	Maximum Fee
Non-Hazardous Liquid Waste Transfer Facility	No Change	No Change
Solid Waste Variance Plan Review	No Change	No Change
Experimental Project Approval —Solid Waste	No Change	No Change

Solid Waste <u>PROJECTS</u> Plan Review	Initial Fee	Maximum Fee
Investigation: Solid Waste		\$130.00 per hour

Water Treatment Plants Plan Review	Initial Fee	Maximum Fee
Water Plant Includes Construction Inspection		
— Treatment Plant >1 Mgd	\$3,000.00	\$24,000
— Treatment Plant — 0.1 Mgd to 1 Mgd	\$1,500.00	\$15,000
— Treatment Plant — <100,000 Gal/Day	\$1,000.00	\$10,000

Wastewater Treatment Works Plan Review	Initial Fee	Maximum Fee
Waste Treatment Works Includes Construction Inspection		
— >1 Mgd	\$3,000.00	\$24,000
— 0.1 Mgd to 1 Mgd	\$1,500.00	\$15,000
— <100,000 Gal/Day	\$1,000.00	\$10,000

Water and Wastewater Treatment Plan Review	Initial Fee	Maximum Fee
Water System Blending Plans	\$150.00	\$7,500
Alteration Plan: Treatment — Public Water	\$150.00	\$1,500.00
Operations & Maintenance Plan: Treatment — Public Water	\$150.00	\$1,500.00
Treatment System Plan: Treatment — Public Water	\$150.00	\$1,500.00
Treatment System Plan: Treatment — Wastewater	\$150.00	\$1,500.00
MAG 208 Certification	\$150.00	\$5,000.00
Experimental Project Approval Including Four (4) Quarterly Inspections	\$300.00	\$5,000.00
Waste Water Reuse — Treatment	\$250.00	\$3,000.00
Ground Water Recharge	\$250.00	\$4,000.00
All Other Plans	\$150.00	\$1,500.00

<u>Drinking Water System Site Sampling Plan, Emergency Operations Plans, Backflow Prevention Plan or Other Plans</u> <u>PROJECTS PLAN</u> <u>REVIEW</u>	<u>FLAT OR</u> <u>Initial Fee</u>	<u>Maximum Fee</u>
Site Sampling Plan, Emergency Operations Plans, Backflow Prevention Plan or Other <u>PUBLIC</u> Water System Compliance Plans		
Community Water System ≥100,001 Population <u>25 to 100</u> <u>101 to 1000</u> <u>1,001 to 10,000</u> <u>10,001 to 100,000</u> <u>>100,001 Population</u> 10,001 to 100,000 1,001 to 10,000 101 to 1000 25 to 100	\$350.00 <u>\$275.00</u> <u>\$350.00</u> <u>\$350.00</u> <u>\$350.00</u> <u>\$350.00</u> \$350.00 \$350.00 \$350.00 \$275.00	NA <u>NA</u> <u>NA</u> <u>NA</u> <u>NA</u> <u>NA</u> NA NA NA NA
Non Community Water System <u>25 to 1000</u> ≥ 1,001 Population 25 to 1000	No Change No Change	<u>NA</u> <u>NA</u>
New Sources Approval Water Quality Review and Report	No Change	<u>NA</u>
Drinking Water System Compliance Reviews	No Change	<u>NA</u>
Master Plan Review and Approval	No Change	<u>NA</u>
Master Plan Amendment: Subdivisions – Public Water	\$150.00	\$1,500.00
<u>Review of Plan for public water supply distribution line (including extensions) and associated appurtenances for a system PER group of 150 connections or less.</u> <u>The fee specified above applies to each group of 150 or less proposed connections. If a facility includes more than 150 connections, the fee applies to each multiple group of 150 or less (e.g. a facility of 200 connections would require a fee of \$600.00 plus \$600.00 for a total flat fee of \$1,200.00)</u>	<u>\$600.00 per 150 or less proposed connections</u>	<u>NA</u>
Water Booster Station – Subdivisions	\$675.00	NA
<u>Storage Tank (atmosphere and/or pressurized)</u>	<u>\$675.00</u>	<u>NA</u>
<u>Well Site Review and Approval</u>	<u>\$675.00</u>	<u>NA</u>
Disinfection System Chlorination Plan: Subdivisions	\$150.00	\$1,500.00

<u>Drinking Water System Site Sampling Plan, Emergency Operations Plans, Backflow Prevention Plan or Other Plans PROJECTS PLAN REVIEW</u>	<u>FLAT OR Initial Fee</u>	<u>Maximum Fee</u>
<u>Water Treatment Plants Plan Review FACILITY (INCLUDES CONSTRUCTION INSPECTION)</u> <u>Waste Plant Includes Construction Inspection</u> <u>TREATMENT FACILITY >1.0 Mgd MILLION GALLONS/DAY</u>	<u>\$3,000.00</u>	<u>\$24,000.00</u>
<u>TREATMENT FACILITY 0.1 Mgd MILLION GALLONS/DAY to 1 Mgd MILLION GALLONS/DAY</u>	<u>\$1,500.00</u>	<u>\$15,000.00</u>
<u>TREATMENT FACILITY <100,000 Gal/Day GALLONS/DAY</u>	<u>\$1,000.00</u>	<u>\$10,000.00</u>
<u>Treatment System Plan: Treatment—Public Water OTHER CONSTRUCTION PLAN REVIEW</u>	<u>\$150.00</u>	<u>\$1,500.00</u>
<u>Experimental Project Approval (INCLUDES including Four (4) Quarterly Inspections)</u>	<u>\$300.00</u>	<u>\$5,000.00</u>
<u>Water System Blending Plans</u>	<u>\$150.00</u>	<u>\$7,500.00</u>
<u>OTHER OPERATION PLAN – TREATMENT FACILITY Operations & Maintenance Plan: Treatment—Public Water</u>	<u>\$150.00</u>	<u>\$1,500.00</u>
<u>Investigation: Drinking Water</u>		<u>\$130.00 per hour</u>
<u>Approval of Sanitary facilities for a Subdivision of 150 lots or less:</u>		<u>\$450 per 150 lots</u>
<u>The fee specified above applies to each phase of a Subdivision of 150 lots or less. If a Subdivision includes more than 150 lots, the fee applies to each multiple group of 150 or less (e.g., a proposal for a Subdivision of 350 lots would require a fee of \$450.00 plus \$450.00 and \$450.00 for a total flat fee of \$1,350.00)</u>		
<u>Trailer Coach Park facilities of 100 leased spaces or less:</u>		<u>\$600.00 per 100 spaces</u>
<u>The fee specified above applies to each group of 100 spaces or less. If a facility includes more than 100 spaces, the fee applies to each multiple group of 100 or less (e.g. a facility of 300 spaces would require a fee of \$600.00 plus \$600.00 and \$600.00 for a total flat fee of \$1,800.00).</u>		
<u>Review of on-site wastewater soils and hydrology report representing a group of 50 or less proposed lots (or 40 acres) whichever, is the lesser in area.</u>		<u>\$525.00 per 50 or less lots</u>
<u>The fee specified above applies to each group of 50 or less proposed lots. If a facility includes more than 50 spaces, the fee applies to each multiple group of 50 or less (e.g. a facility of 120 lots would require a fee of \$525.00 plus \$525.00 and \$525.00 for a total flat fee of \$1,575.00)</u>		

<u>Drinking Water System Site Sampling Plan, Emergency Operations Plans, Backflow Prevention Plan or Other Plans</u> <u>PROJECTS PLAN REVIEW</u>	<u>FLAT OR Initial Fee</u>	<u>Maximum Fee</u>
Subdivisions Plan Review		Fee
<u>Review of plan for public water supply distribution line (including extensions) and associated appurtenances for a system of 150 connections or less:</u> <u>The fee specified above applies to each group of 150 or less proposed connections. If a facility includes more than 150 connections, the fee applies to each multiple group of 150 or less (e.g. a facility of 200 connections would require a fee of \$600.00 plus \$600.00 for a total flat fee of \$1,200.00)</u>	<u>\$600.00 per 150 or less proposed connections</u>	
<u>Review of entitlement plans submitted to the One Stop Shop process:</u> <u>The fee specified above applies to reviews of entitlement project submittals to ensure compliance with Maricopa County Environmental Health Code requirements for adequate potable water and management of sanitary sewage. This fee applies to preliminary plats, rezoning actions, comprehensive plan amendments, development master plans, special use permits and final plats.</u>		<u>\$225.00</u>
<u>Review of One Stop Shop process variance applications to ensure compliance with Maricopa County Environmental Health Code requirements for adequate potable water and management of sanitary sewage.</u>		<u>\$25.00</u>
<u>Review of One Stop Shop process temporary use applications (except special events) to ensure compliance with the Maricopa County Environmental Health Code requirements for adequate potable water and management of sanitary sewage.</u>		<u>\$25.00</u>
<u>Transfer of Ownership/Subdivision Name Change of Previously Approved Subdivision</u>		<u>\$200.00</u>
<u>Master Plan Review and Approval</u>		<u>\$500.00</u>
<u>Well Site Review and Approval</u>		<u>\$675.00</u>
<u>Storage Tank (Atmosphere and/or Pressurized)</u>		<u>\$675.00</u>
<u>Water Booster Station—Subdivisions</u>		<u>\$675.00</u>
<u>Sewer Lift Station—Subdivisions</u>		<u>\$600.00</u>
<u>Investigation: Subdivisions</u>		<u>\$130.00 per Hour</u>
<u>Water and Wastewater PROJECTS Plan Review</u>		Fee
<u>Water Booster Station—Treatment</u>		<u>\$675.00</u>
<u>Sewer Lift Station—Treatment</u>		<u>\$600.00</u>

Water and Wastewater <u>PROJECTS</u> Plan Review	Fee
Storage Tank (Atmosphere and/or Pressurized)	\$675.00
Investigation: Treatment — Public Water	\$130.00 per hour
Investigation: Treatment — Wastewater	\$130.00 per hour

Subdivisions Plan Review	Initial Fee	Maximum Fee
Chlorination Plan: Subdivisions	\$150.00	\$1,500.00
Master Plan Amendment: Subdivisions — Public Water	\$150.00	\$1,500.00
Master Plan Amendment: Subdivisions — Wastewater	\$150.00	\$1,500.00
Waste Water Reuse — Subdivisions	\$250.00	\$3,000.00
Water Line Waiver: Subdivisions — Wastewater	\$150.00	\$1,500.00
Reclaimed Water System Plan Review	\$150.00	\$2,600.00

Sewer Collection Systems Plan Review	Fee
Sewer Collections Systems (Including Extensions) and Associated Appurtenances Gravity Sewer only, with manholes Serving 50 or less Connections	\$500.00
Serving 51 to 300 Connections	\$1000.00
Serving 301 or more Connections	\$1500.00
Sewer Collections Systems (Including Extensions) and Associated Appurtenances Forced mains including gravity sewer components Serving 50 or less Connections	\$800.00
Serving 51 to 300 Connections	\$1,300.00
Serving 301 or more Connections	\$1,800.00

<u>On-Site Wastewater Treatment Facilities</u> <u>PROJECTS PLAN</u> <u>REVIEW</u>	<u>FLAT OR</u> <u>Initial Fee</u>	<u>Maximum Fee</u>
Septic Tank Conventional Disposal less than 3000 gal/LONS/day	No Change	<u>NA</u>
<u>ON-SITE</u> Aerobic System with surface disposal	No Change	<u>NA</u>
Composting Toilet less than 3000 gal/day	No Change	<u>NA</u>
Septic tank with one Additional Alternative Element**	No Change	<u>NA</u>
Septic tank with >one <u>EACH</u> Additional Alternative Element**	\$1,050 plus \$250.00 per additional	<u>NA</u>

<u>On-Site Wastewater Treatment Facilities</u> <u>PROJECTS PLAN</u> <u>REVIEW</u>	<u>FLAT OR</u> <u>Initial Fee</u>	<u>Maximum Fee</u>
	element	
<i>* These alternative disposal elements are all for systems of less than 3000 gal./day and include the following: Pressure distribution systems; gravelless trenches; natural seal evapotranspiration beds; lined evapotranspiration beds; Wisconsin Mounds; Engineered Pad Systems; Intermittent Sand Filters; Peat Filters; Textile Filters; Ruck® Systems; sewage vaults; aerobic systems/subsurface disposal; aerobic systems/surface disposal; cap systems; constructed wetlands; sand lined trenches; disinfection devices; sequencing batch reactors; subsurface drip irrigation systems.</i>		
On-site wastewater treatment facility with flow from 3000 gal./day to less than 24,000 gal./day <u>(NON AEROBIC)</u>	No Change	<u>NA</u>
<i>*These alternative disposal elements are all for systems of less than 3000 gal./day and include the following: Pressure distribution systems; gravelless trenches; natural seal evapotranspiration beds; lined evapotranspiration beds; Wisconsin Mounds; Engineered Pad Systems; Intermittent Sand Filters; Peat Filters; Textile Filters; Ruck® Systems; sewage vaults; aerobic systems/subsurface disposal; aerobic systems/surface disposal; cap systems; constructed wetlands; sand lined trenches; disinfection devices; sequencing batch reactors; subsurface drip irrigation systems.</i>		
On-Site System Site Inspection	No Change	<u>NA</u>
Domestic Well Drill, Deepen, Replace or Modify (No Inspection)	No Change	<u>NA</u>
On-Site System Alteration Permit	No Change	<u>NA</u>
On-Site System Alteration Permit & One Inspection	No Change	<u>NA</u>
On-Site System Reconnect/Remodel Review	No Change	<u>NA</u>
On-Site System Reconnect/Remodel Review & One Inspection	No Change	<u>NA</u>
On-Site System Plan Revision	No Change	<u>NA</u>
On-Site System Request for Alternate Design, Installation, or Operational Feature	No Change	<u>NA</u>
On-Site System Design Requiring Interceptor	No Change	<u>NA</u>
On-Site System Transfer Ownership	No Change	<u>NA</u>
On-Site System Abandoned site <u>MENT/CLOSURE</u>	No Change	<u>NA</u>
<u>Investigation: On-Site</u>	<u>\$130.00 per hour</u>	
On-Site Additional Inspection	No Change	<u>NA</u>
Planning & Development Plan Review	No Change	<u>NA</u>

<u>On-Site Wastewater Treatment Facilities PROJECTS PLAN REVIEW</u>	<u>FLAT OR Initial Fee</u>	<u>Maximum Fee</u>
<u>Master Plan Review and Approval</u>	<u>500.00</u>	<u>NA</u>
<u>Master Plan Amendment: Subdivisions Wastewater</u>	<u>150.00</u>	<u>1,500.00</u>
<u>Reclaimed Water System Plan Review</u>	<u>150.00</u>	<u>2,600.00</u>
<u>Sewer Collections Systems (Including Extensions) and Associated Appurtenances (includes extensions)</u>		
<u>Gravity Sewer Only, with Manholes</u>		
<u>Serving 50 or less Connections</u>	<u>500.00</u>	<u>NA</u>
<u>Serving 51 to 300 Connections</u>	<u>1000.00</u>	<u>NA</u>
<u>Serving 301 or more Connections</u>	<u>1500.00</u>	<u>NA</u>
<u>Sewer Collections Systems (Including Extensions) and Associated Appurtenances</u>		
<u>Forced mains including gravity sewer components</u>		
<u>Serving 50 or less Connections</u>	<u>800.00</u>	<u>NA</u>
<u>Serving 51 to 300 Connections</u>	<u>1,300.00</u>	<u>NA</u>
<u>Serving 301 or more Connections</u>	<u>1,800.00</u>	<u>NA</u>
<u>Sewer Lift Station Treatment</u>	<u>600.00</u>	<u>NA</u>
<u>Storage Tank (atmosphere and/or pressurized)</u>	<u>675.00</u>	<u>NA</u>
<u>Disinfection System Chlorination Plan: Subdivisions</u>	<u>150.00</u>	<u>1,500.00</u>
<u>WasteWATER Treatment Works FACILITY (includes construction inspection)</u>		
<u><100,000 Gal/Day GALLONS/DAY</u>	<u>1,000.00</u>	<u>10,000</u>
<u>0.1 Mgd MILLION GALLONS/DAY to 1.0 Mgd MILLION GALLONS/DAY</u>	<u>1,500.00</u>	<u>15,000</u>
<u>>1.0 Mgd MILLION GALLONS/DAY</u>	<u>3,000.00</u>	<u>24,000</u>
<u>OTHER CONSTRUCTION PLANS REVIEWS Treatment System Plan: Treatment Wastewater</u>	<u>150.00</u>	<u>1,500.00</u>
<u>Non-Hazardous Liquid Waste Transfer Facility</u>	<u>150.00</u>	<u>2,600.00</u>
<u>RECLAIMED WATER CONVEYANCE Wastewater Reuse Subdivisions</u>	<u>250.00</u>	<u>3,000.00</u>
<u>RECLAIMED Water Booster Station Subdivisions</u>	<u>675.00</u>	<u>NA</u>
<u>RECLAIMED WATER Storage Tank (atmosphere and/or pressurized)</u>	<u>675.00</u>	<u>NA</u>
<u>Ground Water Recharge</u>	<u>250.00</u>	<u>4,000.00</u>

<u>On-Site Wastewater Treatment Facilities PROJECTS PLAN REVIEW</u>	<u>FLAT OR Initial Fee</u>	<u>Maximum Fee</u>
<u>Waste Water Reuse—Treatment Reuse Facility</u>	<u>\$250.00</u>	<u>\$3,000.00</u>
<u>Experimental Project Approval (INCLUDES including Four (4) Quarterly Inspections)</u>	<u>\$300.00</u>	<u>\$5,000.00</u>
<u>MAG 208 Certification</u>	<u>\$150.00</u>	<u>\$5,000.00</u>
<u>OTHER OPERATIONAL PLAN – TREATMENT FACILITY-All Other Plans</u>	<u>\$150.00</u>	<u>\$1,500.00</u>

<u>Subdivisions Sanitary Facilities for Infrastructure Plan Review</u>	<u>FLAT OR Initial Fee</u>	<u>Maximum Fee</u>
<u>Approval of Sanitary facilities for a Subdivision of PER 150 lots or less.</u> <u>The fee specified above applies to each phase of a Subdivision of 150 lots or less. If a Subdivision includes more than 150 lots, the fee applies to each multiple group of 150 or less (e.g., a proposal for a Subdivision of 350 lots would require a fee of \$450.00 plus \$450.00 and \$450.00 for a total flat fee of \$1,350.00).</u>	<u>\$450 per 150 lots</u>	<u>NA</u>
<u>Trailer Coach MOBILE HOME Park facilities of PER 100 leased spaces or less.</u> <u>The fee specified above applies to each group of 100 spaces or less. If a facility includes more than 100 spaces, the fee applies to each multiple group of 100 or less (e.g. a facility of 300 spaces would require a fee of \$600.00 plus \$600.00 and \$600.00 for a total flat fee of \$1,800.00).</u>	<u>\$600.00 per 100 spaces</u>	<u>NA</u>
<u>Review of on-site wastewater soils and hydrology report representing a group of PER 50 or less proposed lots (or 40 acres) whichever is the lesser in area.</u> <u>The fee specified above applies to each group of 50 or less proposed lots. If a facility includes more than 50 lots, the fee applies to each multiple group of 50 or less (e.g. a facility of 120 lots would require a fee of \$525.00 plus \$525.00 and \$525.00 for a total flat fee of \$1,575.00)</u>	<u>\$525.00 per 50 or less lots</u>	<u>NA</u>
<u>Transfer of Ownership/Subdivision Name Change of Previously Approved Subdivision</u>	<u>\$200.00</u>	<u>NA</u>

<u>Subdivisions Sanitary Facilities for Infrastructure Plan Review</u>	<u>FLAT OR Initial Fee</u>	<u>Maximum Fee</u>
<u>Transfer of Ownership/Subdivision Name Change of Previously Approved Subdivision</u>	<u>\$200.00</u>	<u>NA</u>
<u>Water Line WATER OR WASTEWATER PLAN REVIEW Waiver: Subdivisions — Wastewater</u>	<u>\$150.00</u>	<u>\$1,500.00</u>
<u>Review of entitlement plans submitted to the One Stop Shop process.</u> <u>The fee specified above applies to reviews of entitlement project submittals to ensure compliance with Maricopa County Environmental Health Code requirements for adequate potable water and management of sanitary sewage. This fee applies to preliminary plats, rezoning actions, comprehensive plan amendments, development master plans, special use permits and final plats.</u>	<u>\$225.00</u>	<u>NA</u>
<u>Review of One Stop Shop process variance applications to ensure compliance with Maricopa County Environmental Health Code requirements for adequate potable water and management of sanitary sewage.</u>	<u>\$25.00</u>	<u>NA</u>
<u>Review of One Stop Shop process temporary use applications (except special events) to ensure compliance with the Maricopa County Environmental Health Code requirements for adequate potable water and management of sanitary sewage.</u>	<u>\$25.00</u>	<u>NA</u>

All Other Water and Waste Management Fees	Fee
All Other Plans	No Change
Dye Test	No Change
Observe Percolation Test	No Change
Domestic Well Location Approval (ADWR Form)	No Change
<u>Water & Waste Management Division Hourly Rate</u>	<u>\$130.00 per hour</u>

MARICOPA COUNTY HEALTH CODE – CHAPTER I – FEE SCHEDULE

ALL OTHER ENVIRONMENTAL SERVICES CHARGES/FEEES

All Other Environmental Services Charges/Fees	Charge/Fee
No Change	No Change

REGULATION 6. to REGULATION 8 No Change

REGULATION 9. Service of Notice and Hearings

Unless otherwise provided in this Environmental Health Code, ~~a Notice of Violation, Notice of a hearing, and all other n~~Notices provided for in this Environmental Health Code are deemed served and received on the date the Notice is personally delivered to the permit holder, or on the date it is sent by registered or certified mail, return receipt requested, to the permit holder's last known address or to the address shown on the permit holder's driver's license. A copy of the Notice shall be filed in the Department's records.

a. A notice of the nonpayment of a fee is deemed served and received on the date it is sent by regular first class mail, postage prepaid, to the permit holder's last known address. ~~A copy of the Notice shall be filed in the Department's records.~~

b. No Change

c. Hearings

(1) Hearings held pursuant to this Environmental Health Code shall be conducted in the same manner as hearings are conducted pursuant to A.R.S. §§ 41-1061 to -1066.

(2) A Notice of a hearing from the Department to a permit holder shall include:

~~(1)~~ (a) A statement of the time, place, and nature of the hearing.

~~(2)~~ (b) A statement of the legal authority and jurisdiction under which the hearing is to be held.

~~(3)~~ (c) A reference to the particular sections of the statutes and regulations involved.

~~(4)~~ (d) A short, plain statement of the matters asserted. If the Department is unable to state the matters in detail at the time the Notice is served, then the Notice may be limited to a statement of the issues involved. If the permit holder requests a more definite statement, the Department shall, if it is able, provide a more definite and detailed statement to the permit holder prior to the hearing.

~~(5) — Hearings.~~

~~(a) Hearings held pursuant to this Environmental Health Code shall be conducted in the same manner as hearings are conducted pursuant to A.R.S. §§ 41-1061 to -1066.~~

| **REGULATION 10. to REGULATION 12** No Change

| **REGULATION 13. Posting of Notices ~~of Violation~~**

No Change

REGULATION 14. No Change

MCEHC, REGULATION 5. D. - FEE SCHEDULE

WATER AND WASTE MANAGEMENT DIVISION HEADERS/SUB-HEADER ORDER

Water and Waste Management Division Operating Permits

Drinking Water Operating Permits

Solid Waste Operating Permits

Swimming Pool Operating Permits

Wastewater Treatment Operating Permits

Other Operating Permits

Water and Waste Management Division Plan Review

Drinking Water Projects Plan Review

Solid Waste Projects Plan Review

Swimming Pool Projects Plan Review

Wastewater Projects Plan Review

Sanitary Facilities for Infrastructure Plan Review

All Other Water and Waste Management Fees

MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

CHAPTER VIII

**FOOD, FOOD PRODUCTS,
FOOD HANDLING ESTABLISHMENTS**

SECTION 1

GENERAL PROVISIONS

REGULATION 1. Definitions

(1) to (24) No Change

(25) “Eating & Drinking Establishment” is a food establishment that prepares food for service on the premises or take-out delivery directly to a consumer. Examples of eating & drinking food establishments are: 0-9 seating, 10+ seating, adult daycare, assisted living, hospital food service, jail food service, nursing home, school food service, senior food service, and service kitchen.

Class 2 – quick service operations with only limited preparation of menu items OR AS APPROVED BY THE DEPARTMENT.

Class 3 – quick service operations with advanced preparation of two or less menu items OR AS APPROVED BY THE DEPARTMENT.

Class 4 – full service operations with advanced preparation of three or more menu items OR AS APPROVED BY THE DEPARTMENT.

Class 5 – quick or full service operations where the consumers specifically include populations highly susceptible to foodborne illness OR AS APPROVED BY THE DEPARTMENT.

(26) to (45) No Change

(46) “Mobile Food Establishment” means a food establishment selling, offering for sale or dispensing food for human consumption from any vehicle or other temporary or itinerant station. For the purpose of this Environmental Health Code, mobile food establishments are defined as follows:

(a) No Change

- (b) "Pushcart" means a vehicle designated to be readily movable that is limited to the serving of non-potentially hazardous foods, drinks, or individually commercially packaged potentially hazardous foods (time/temperature control for safety foods) maintained at proper temperatures, or limited to the assembling and serving of frankfurters AND CORN. Unpackaged non-potentially hazardous food items approved for sale or dispensed from a pushcart shall be limited to popcorn, nuts, pretzels and similar bakery products, COTTON CANDY, shaved ice, snow cones, iItalian ice, and non-potentially hazardous drinks.
- (c) No Change
- (d) No Change
- (e) No Change
- (f) "Special Event Food Establishment" means a food establishment that operates in conjunction with one event that operates for not more than ~~fourteen~~ONE HUNDRED TWENTY (14)-(120) consecutive days. At the termination of the special event, the special event food establishment shall be removed from the premises.

(47) to (72) No Change

REGULATION 2. to REGULATION 11. No Change

MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

CHAPTER VIII

**FOOD, FOOD PRODUCTS,
FOOD HANDLING ESTABLISHMENTS**

SECTION 3

MOBILE FOOD ESTABLISHMENTS

REGULATION 1. Definitions

- a. No Change

REGULATION 2. Compliance

- a. to e. No Change

- f. Promotional activities that do not require a food service permit include:

- (1) Promotional activities in a permitted food establishment as defined in this Code.
- (2) The promotion of non-potentially hazardous food products as defined in this Code.
- (3) The cutting of raw fruits and vegetables for DISPLAY AND NOT INTENDED FOR HUMAN CONSUMPTION~~immediate service to customers.~~

REGULATION 3. to REGULATION 6. No Change

REGULATION 7. Food Protection

- a. to l. No Change

M. POTENTIALLY HAZARDOUS FOOD ITEMS SOLD AS CONDIMENTS FROM A PUSHCART ARE REQUIRED TO BE STORED ON THE PUSHCART AT PROPER TEMPERATURES. THE AMOUNT OF POTENTIALLY HAZARDOUS FOOD CONDIMENTS ARE LIMITED TO SUFFICIENT STORAGE SPACE ON THE PUSHCART.

N. THE SERVICE OF ALL FOOD ITEMS, EXCLUDING PREPACKAGED NON-POTENTIALLY HAZARDOUS FOOD ITEMS, MUST BE CONDUCTED FROM THE PUSHCART UNIT.

O. BACON WRAPPED HOTDOGS MUST BE COMMERCIALY PRECOOKED OR COOKED AT THE ASSIGNED COMMISSARY PRIOR TO SALES FROM A PUSHCART.

REGULATION 8. to REGULATION 10. No Change

REGULATION 11. Additional Requirements for Temporary Food Establishments, Seasonal Food Establishments, and Special Event Food Establishments

a. All seasonal food establishments AND SPECIAL EVENT FOOD ESTABLISHMENTS OPERATING AT AN EVENT GREATER THAN 14 DAYS shall operate in conjunction with an onsite commissary or a fixed food establishment, unless an alternate Department approval is obtained. Seasonal food establishments AND SPECIAL EVENT FOOD ESTABLISHMENTS, for which an alternative Department approval has not been granted, shall operate in conjunction with a commissary or fixed food establishment that is easily accessible and available for use at all times ~~the seasonal food establishment is~~ WHILE in operation.

b. to g. No Change

REGULATION 12. No Change

MARICOPA COUNTY HEALTH CODE

CHAPTER X

RESIDENCE ACCOMMODATIONS

SECTION 1

GENERAL ~~CONSIDERATION~~ PROVISIONS

REGULATION 1. Definitions

- a. "Transient dwelling establishment" means and includes any place such as a hotel, motel, motor hotel, **RESORT**, tourist court, tourist camp, rooming house, boarding house, inn, **HOSTEL**, and similar facilities by whatever name called, consisting of two or more dwelling units where sleeping accommodations are available to transients or tourists **ON A DAILY OR WEEKLY BASIS FOR PERIODS NOT TO EXCEED THIRTY (30) CONSECUTIVE DAYS**; provided, however, that the term shall not be construed to include apartments, and similar facilities if occupancy of all dwelling units is on a permanent basis **WHICH EXCEEDS THIRTY (30) DAYS**.
- b. No Change
- c. No Change
- D. "FOOT-CANDLE" MEANS A UNIT OF MEASURE OF THE INTENSITY OF LIGHT FALLING UPON A SURFACE, EQUAL TO ONE LUMEN PER SQUARE FOOT AND ORIGINALLY DEFINED WITH REFERENCE TO A STANDARDIZED CANDLE BURNING AT ONE FOOT FROM A GIVEN SURFACE.**
- E. "LICENSED PEST CONTROL APPLICATOR" MEANS A PERSON WHO IS LICENSED BY THE ARIZONA OFFICE OF PEST MANAGEMENT (OPM) TO APPLY PESTICIDES**
- F. "RESIDENCE ACCOMMODATION" MEANS A PLACE OF HUMAN HABITATION, SUCH AS A TRANSIENT DWELLING ESTABLISHMENT, APARTMENT, CONDOMINIUM, HOUSE, MANUFACTURED HOME, OR TOWNHOME.**

REGULATION 2. No Change

REGULATION 3. ~~Inspection of Housing~~ RIGHT OF INSPECTION

No Change

REGULATION 4. Sanitation of Habitable Buildings

- a. No Change
- b. No Change

c. ~~No~~ **AN** owner or lessee of a **TRANSIENT** dwelling **ESTABLISHMENT**, ~~house~~; **RESIDENCE ACCOMMODATION**, ~~apartment~~ or business establishment (**COLLECTIVELY HEREINAFTER REFERRED TO AS "PROPERTY"**) shall **NOT** ~~cut-off~~ turn off the water supply or cause such water supply to be ~~shut~~ **TURNED** off, except in case of necessity arising from a serious leak ~~of~~ **OR** bursting ~~of~~ pipes. In such cases, repairs shall promptly be made, **OR CAUSED TO BE MADE, BY THE PROPERTY OWNER, PROPERTY MANAGER, OR LESSEE.**

d. No Change

REGULATION 5. No Change

REGULATION 6. No Change

MARICOPA COUNTY HEALTH CODE

CHAPTER X

RESIDENCE ACCOMMODATIONS

SECTION 2

TRANSIENT DWELLING ESTABLISHMENTS

REGULATION 1. Dwelling Units

a. to k No Change

L. THE PROPERTY OWNER SHALL ENSURE THAT THE DWELLING UNITS ARE CLEANED AT LEAST ONCE PER WEEK AND BETWEEN GUESTS.

M. ALL PESTICIDE APPLICATIONS SHALL BE PERFORMED BY A LICENSED PEST CONTROL APPLICATOR

N. AT LEAST FIFTEEN (15) FOOT- CANDLES OF LIGHT SHALL BE PROVIDED IN ANY AREA USED FOR LIVING OR SLEEPING.

O. ALL SLEEPING ROOMS, BATHROOMS, AND TOILET ROOMS SHALL BE CAPABLE OF BEING MAINTAINED AT A TEMPERATURE BETWEEN 68°F (20°C) AND 80°F (26.7°C) WHILE BEING USED BY GUESTS.

P. THE USE OF PORTABLE SPACE HEATERS IS PROHIBITED IN GUEST ROOMS.

REGULATION 2. Bedding

a. The beds, mattresses, pillows, and bed linen, including sheets, pillow slips, blankets, etc., used in all transient dwelling establishments shall be maintained in good repair; shall be kept clean and free of vermin; and shall be properly stored **AND PROTECTED FROM CONTAMINATION AND FILTH** when not in use.

b. No Change

~~c. Clean linen shall be provided to each new guest and shall be changed at least once each week when occupancy exceeds this period.~~ **CLEAN LINEN SHALL BE REPLACED AT THE REQUEST OF A GUEST, BETWEEN GUESTS, AND AT LEAST ONCE PER WEEK.**

D. CLEAN LINEN SHALL NOT BE STORED OR TRANSPORTED IN LAUNDRY BAGS, LAUNDRY CARTS, OR OTHER CONTAINERS THAT HAVE BEEN USED FOR SOILED LINEN, UNLESS THE OWNER OR MANAGER OF THE TRANSIENT DWELLING ESTABLISHMENT DEMONSTRATES TO THE DEPARTMENT THAT THE

CONTAINERS ARE, OR CAN BE, PROPERLY CLEANED AND THEIR SURFACES SANITIZED. ALL CLEAN LINEN SHALL BE STORED AT LEAST SIX (6) INCHES ABOVE FLOOR. LINEN STORAGE SHELVES OR CABINETS SHALL BE CONSTRUCTED OF SMOOTH, NON-POROUS, CORROSION, AND WATER DAMAGE-RESISTANT MATERIAL.

E. EACH CART USED FOR COMBINED DELIVERY OF CLEAN ARTICLES AND REMOVAL OF ITEMS FOR LAUNDERING SHALL HAVE A SEPARATE STORAGE BIN OR BAG FOR THE SOILED ARTICLES. THE STORAGE BIN SHALL BE MADE OF A CLEANABLE, SMOOTH, AND IMPERVIOUS MATERIAL. STORAGE BAGS SHALL BE MADE OF A DURABLE MATERIAL THAT IS MACHINE WASHABLE, UNLESS THE BAG IS FOR SINGLE USE ONLY.

F. USED LINEN AND BEDDING MAY NOT BE RECOVERED FROM ANY LANDFILL, DUMP, DUMPSTER, OR OTHER WASTE DISPOSAL, JUNKYARD, OR HOSPITAL FOR THE PURPOSE OF REUSE IN A TRANSIENT DWELLING ESTABLISHMENT EVEN IF THE BEDDING IS STERILIZED AT AN APPROVED STERILIZATION PLANT.

REGULATION 3. Water Supply

Each transient dwelling establishment shall be provided with an adequate and safe water supply from an approved source. Whenever a transient dwelling establishment finds it necessary to develop a source or sources of supply, complete plans and specifications of the proposed water system shall be submitted to the Department and approval received prior to the start of construction. The design, construction, and operation of all such water supply systems shall comply with ~~Department regulations governing public water supplies.~~ **CHAPTER V OF THIS CODE.**

REGULATION 4. Toilet; ~~Lavatory~~ ROOMS

a. Adequate and convenient toilet, ~~lavatory~~ **SINK**, and bathing facilities shall be provided at all transient dwelling establishments and shall be available to the guests at all times.

b. No Change

c. Central toilet rooms shall provide not less than one toilet, one ~~lavatory~~ **SINK**, and one tub or shower for each sex for each 10 dwelling units, or major fraction thereof, not having private or connecting baths. ~~At least one urinal shall be provided in each central toilet room designated for men.~~

d. to g. No Change

H. COMMON TOILET ROOMS SERVICING GUEST ROOMS ARE PROHIBITED IN ALL TRANSIENT DWELLING ESTABLISHMENTS THAT ARE BUILT OR REMODELED ONE (1) YEAR OR LATER AFTER THE EFFECTIVE DATE OF THESE REGULATIONS.

I. EACH GUEST ROOM IN A TRANSIENT DWELLING ESTABLISHMENT THAT IS BUILT ONE (1) YEAR OR LATER AFTER THE EFFECTIVE DATE OF THESE REGULATIONS SHALL CONTAIN, AT A MINIMUM, ONE (1) TOILET, ONE (1) SINK, AND ONE (1) SHOWER AND/OR BATHTUB, WHICH MAY INCLUDE A BATHTUB/SHOWER COMBINATION.

REGULATION 5. No Change

REGULATION 6. Drinking Water; Ice

- a. No Change
- b. ~~All glasses and other multiuse utensils furnished to each dwelling unit shall be cleaned and sanitized in an approved manner after each occupancy. Single service paper cups with suitable dispenser may be substituted for glasses.~~ **AFTER EACH OCCUPANCY, ALL GLASSES AND OTHER MULTI-USE UTENSILS FURNISHED TO EACH DWELLING UNIT SHALL BE CLEANED AND SANITIZED IN MANNER APPROVED BY THE DEPARTMENT. IF THESE ITEMS ARE NOT CLEANED USING AN APPROVED DISHWASHER IN THE GUEST ROOM, THEN A SINK WITH THREE (3) COMPARTMENTS AND INTEGRAL DOUBLE DRAIN BOARDS OR A DISHWASHER HAVING A FUNCTIONAL AND/OR ADEQUATE SANITIZING CYCLE SHALL BE USED IN ANOTHER APPROVED AREA OF THE TRANSIENT DWELLING ESTABLISHMENT. ALL EQUIPMENT SHALL BE CERTIFIED BY THE NATIONAL SANITATION FOUNDATION OR EQUIVALENT THIRD PARTY CERTIFICATION ORGANIZATION. THE DEPARTMENT MAY APPROVE ANY TYPE OF DEVICE, OR PROCEDURE FOR CLEANING AND SANITIZING TABLEWARE IF THE PROPERTY OWNER OR PROPERTY MANAGER DEMONSTRATES THE PROCEDURE IS EFFECTIVE AND RELIABLE FOR THAT PURPOSE.**
- c. No Change
- d. No Change
- E. ALL ICE-MAKING MACHINES SHALL BE CERTIFIED BY THE NATIONAL SANITATION FOUNDATION OR AN EQUIVALENT THIRD PARTY CERTIFICATION ORGANIZATION AND LOCATED, INSTALLED, OPERATED, AND MAINTAINED SO AS TO PREVENT CONTAMINATION OF THE ICE. ALL ICE MACHINES PROVIDED FOR CUSTOMER SELF-SERVICE AND/OR EXPOSED TO ENVIRONMENTAL ELEMENTS SHALL POSSESS A CERTIFICATION FROM THE NATIONAL AUTOMATED MERCHANDISING ASSOCIATION (NAMA).**
- F. ALL ICE MACHINES SHALL BE MAINTAINED IN ACCORDANCE WITH REQUIREMENTS OF CHAPTER VIII OF THIS CODE.**
- G. ICE BUCKETS, ICE SCOOPS, AND OTHER CONTAINERS AND UTENSILS USED FOR ICE, UNLESS A SINGLE-USE TYPE, SHALL BE MADE OF A SMOOTH, IMPERVIOUS MATERIAL AND DESIGNED TO PERMIT EFFECTIVE CLEANING AND SHALL BE STORED AND HANDLED IN A SANITARY MANNER.**
- H. NEW, SINGLE-USE, FOOD-GRADE PLASTIC ICE BUCKET LINERS SHALL BE PROVIDED EACH DAY THAT THE GUEST ROOM IS OCCUPIED, EXCEPT WHEN SINGLE-USE ICE BUCKETS ARE BEING PROVIDED.**

REGULATION 7. to REGULATION 9. No Change

REGULATION 10. Plumbing RESERVED

REGULATION 11. Notification of Disease AND OTHER HAZARDS

- a. The owner or operator of a transient dwelling establishment shall **IMMEDIATELY** report to the local ~~health-department~~ **BOARD OF HEALTH OR MARICOPA COUNTY DEPARTMENT OF PUBLIC HEALTH (MCDPH)** the name of any guest or employee suspected or known to have a contagious disease, in accordance with A.R.S. Title 36, Chapter 6, Article 2.
- b. Every dwelling unit, after being occupied by a person known or suspected of having a contagious disease, shall be rendered non-contagious by treatment method as specified by the **MCDPH** ~~Department~~ before further occupancy.



Initial Stakeholder Meeting

Proposed Revisions Maricopa County Environmental Health Code

ES-2013-002

**Misspellings/Spacing throughout the Code
and Reorganizing, Updating, and
Definitions/Application in Chapters 1, 8 and 10**

Maricopa County Environmental Services Department

March 5, 2013



Maricopa County Environmental Services Department

**Working with our community
to ensure a safe and healthy environment**

VISION STATEMENT:

As the recognized regional environmental leader, we will develop and foster innovative environmental health protection programs for the safety of our residents and their environment.

MISSION STATEMENT:

The mission of the Environmental Services Department is to provide safe food, water, waste disposal and vector borne disease reduction controls to the people of Maricopa County so that they may enjoy living in a healthy and safe community.



MARICOPA COUNTY ENHANCED REGULATORY OUTREACH PROGRAM



Maricopa County has five regulatory departments that seek to ensure the safety and well-being of our community. Because we understand that regulations and rulemaking decisions, discussions, and meetings can be confusing, we developed the Enhanced Regulatory Outreach Program that allows citizens to easily monitor and engage in the adoption and amendment of all regulations.

AIR QUALITY • ENVIRONMENTAL SERVICES • FLOOD CONTROL • PLANNING & DEVELOPMENT • TRANSPORTATION

<http://www.maricopa.gov/regulations/>





FOLLOW MARICOPA COUNTY'S REGULATORY ADOPTION PROCESS STEP-BY-STEP

- Step 1** County Manager Briefed Board of Supervisors
- Step 2** Conduct Stakeholder Workshop
- Step 3** Stakeholder Notification 2 Weeks Prior to Citizen's Board or Commission
- Step 4** Public Meeting to Initiate Regulatory Change
- Step 5** Specific Departmental Processes
- Step 6** Stakeholder Notification 2 Weeks Prior to Citizen's Board or Commission
- Step 7** Public Meeting to Make Recommendation to Board of Supervisors
- Step 8** Schedule BOS Public Hearing
- Step 9** Board of Supervisor Public Hearing
- Step 10** Item Adopted



RECEIVE UP TO DATE NOTIFICATIONS – STAY INFORMED –

Sign up today to receive notice from the five Maricopa County regulatory departments about calendar changes or where items are in the process by visiting:

<http://www.maricopa.gov/regulations/Notifications.aspx>



ENHANCED PUBLIC PARTICIPATION – STAY INVOLVED –

Your comments are important! Feedback is compiled and presented to every voting body to help policymakers during the decision process.

Submit comments for every proposed regulation going through this program by visiting:

<http://www.maricopa.gov/regulations/comments.aspx>



Case #/Title: ES-2013-002: Revisions to Maricopa County Environmental Health Code – Misspellings, **Reorganizing**, Updating, and Definitions/Application



Reorganizing – What is the Scope?

- Chapter 1 – Fee Table
- Water and Waste Management Fees
- Old Table – by program
- New Table – by category

Water, Solid Waste, Wastewater,
Pools

***** No Fee Cost Changes or New Fees*****



Fee Table New Organization

1. Operating Permits – Annual Fees

2. Plan Review

3. All Other Water & Waste Management Fees



New Fee Table Headings

Operating Permits – Annual Fees

Drinking Water Operating Permits

Solid Waste Operating Permits

Swimming Pool Operating Permits

Wastewater Treatment Operating Permits



New Fee Table Headings (cont'd)

Plan Review Fees

Drinking Water Projects Plan Review

Solid Waste Projects Plan Review

Swimming Pool Projects Plan Review

Wastewater Projects Plan Review

Subdivision Plan Review

All Other Water and Waste Management Fees



New Fee Table Headings

Total – 10 Headings



Current Fee Table Headings

Water and Waste Plant Review

Swimming Pool Plan Review

Swimming Pool Operation Permits

Solid Waste Operating Permits

Solid Waste Operating Permits

Drinking Water Operating Permits

Wastewater Treatment Operating Permits

Water and Waste Plan Review

Solid Waste Plan Review



Current Fee Table Headings (Cont'd)

Water Treatment Plants Plan Review

Wastewater Treatment Works Plan Review

Water and Wastewater Treatment Plan Review

Drinking Water System Site Sampling Plan...

Subdivisions Plan Review

Water and Wastewater Plan Review

Subdivisions Plan Review

Sewer Collection Systems Plan Review

On-Site Wastewater Treatment Facilities



Current Fee Table Headings (Cont'd)

All Other Water and Waste Management Fees

All Other Water and Waste Management Fees

Total – 20 Headings



Miscellaneous Fee Table Changes

- Rename “Refuse Hauler” to “Non-Hazardous Solid Waste Hauler” to match CH II Sec 5
- Add Plan Review Options Explanation
- Change Plan Review Columns



End of Fee Table Section

**We Welcome Your Questions and
Comments**

-



Term Update

MCESD- Chapter 1 – Fee Table

~~Food·Environmental·Health·Operating·Permits~~

~~Food·Processor·Production~~

~~Food·Processor·Production~~

~~Food·Processor·Production·School~~

~~Food·Processor·Production·School~~

***** No Fee Cost Changes or New Fees*****

Term Update

MCESD- Chapter 1 – Fee Table

Liquor License

Food Environmental Health Operating Permits	One Time Fee
Liquor License	\$45.00



Grammar or Case Updates

MCEHC Chapter 1

GRAMMAR

The word **“be”** changed to **“is”**.

CASE

The **“c”** and **“m”** below changed to upper case.
class 2 **m**isdemeanor to **C**lass 2 **M**isdemeanor

***** No Fee Cost Changes or New Fees*****

Grammar Update

MCEHC Chapter 1

In cases where the Department requires the submission of plans and specifications, no person shall commence construction unless the required plans have been approved. It shall be the full responsibility of said person that construction ~~be~~is in conformance with the approved plans and specifications.

Case Updates

MCEHC Chapter 1

In addition, persons who violate a provision of this Environmental Health Code are guilty of a Class 3 Misdemeanor if the person holds a valid permit or a ~~class-Class 2 misdemeanor~~ Misdemeanor if the person does not hold a valid permit under this article as provided in A.R.S. 36-183.03 and 36-191 and may be punished accordingly.

The recorded assessment is ~~prima-Prima facie-Facie~~ evidence of the truth of all matters recited in the Assessment Statement and of the regularity of all proceedings before recording the Assessment Statement.

Term Updates

MCESD Chapter 1

Service of Notice and Hearings

Existing “Hearing” references, [ARS 41-106](#) and [41-1066](#) were moved in Regulation 9

The word “Notice” replaced “Notice of Violation + Notice of a Hearing”. Also a Department record keeping statement was removed and a capital letter, was changed to lower case.

Term Update Notice

Unless otherwise provided in this Environmental Health Code, ~~a Notice of Violation, Notice of a hearing, and all other n~~Notices provided for in this Environmental Health Code are deemed served and received on the date the Notice is personally delivered to the permit holder, or on the date it is sent by registered or certified mail, return receipt requested, to the permit holder's last known address or to the address shown on the permit holder's driver's license. A copy of the Notice shall be filed in the Department's records.

Term Update

Hearing

c. Hearings

~~(1) Hearings held pursuant to this Environmental Health Code shall be conducted in the same manner as hearings are conducted pursuant to A.R.S. §§ 41-1061 to -1066.~~

(2) A Notice of a hearing from the Department to a permit holder shall include:

(4a) A statement of the time, place, and nature of the hearing.

(2b) A statement of the legal authority and jurisdiction under which the hearing is to be held.

(3c) A reference to the particular sections of the statutes and regulations involved.

(4d) A short, plain statement of the matters asserted. If the Department is unable to state the matters in detail at the time the Notice is served, then the Notice may be limited to a statement of the issues involved. If the permit holder requests a more definite statement, the Department shall, if it is able, provide a more definite and detailed statement to the permit holder prior to the hearing.

~~(5) Hearings.~~

~~(a) Hearings held pursuant to this Environmental Health Code shall be conducted in the same manner as hearings are conducted pursuant to A.R.S. §§ 41-1061 to -1066.~~

Term Updates

MCESD Chapter 1

A Notice-notice of the nonpayment of a fee is deemed served and received on the date it is sent by regular first class mail, postage prepaid, to the permit holder's last known address. ~~A copy of the Notice shall be filed in the Department's records.~~



Revision Scope

- Eating & Drinking permit classifications
- Promotional Food definition
- Pushcart permit definition & regulation changes
- Special Event Food Establishment definition
- Residence Accommodation regulation changes



E&D permit classification

Chapter 8, section 1, regulation (25)

“Eating & Drinking Establishment” is a food establishment that prepares food for service on the premises or take-out delivery directly to a consumer. Examples of eating & drinking food establishments are: 0-9 seating, 10+ seating, adult daycare, assisted living, hospital food service, jail food service, nursing home, school food service, senior food service, and service kitchen.

Class 2 – quick service operations with only limited preparation of menu items **OR AS DETERMINED BY THE DEPARTMENT.**

Class 3 – quick service operations with advanced preparation of two or less menu items **OR AS DETERMINED BY THE DEPARTMENT.**

Class 4 – full service operations with advanced preparation of three or more menu items **OR AS DETERMINED BY THE DEPARTMENT.**

Class 5 – quick or full service operations where the consumers specifically include populations highly susceptible to foodborne illness **OR AS DETERMINED BY THE DEPARTMENT.**



Promotional Food

Chapter 8, section 3, regulation 2.f.

Promotional activities that do not require a food service permit include:

- (1) Promotional activities in a permitted food establishment as defined in this Code.
- (2) The promotion of non-potentially hazardous food products as defined in this Code.
- (3) The cutting of raw fruits and vegetables for **DISPLAY AND NOT INTENDED FOR HUMAN CONSUMPTION** ~~immediate service to customers.~~



Pushcart Definition

Chapter 8, Section 1, Regulation (46)(b)

Chapter 8, Section 3, Regulation 1.a.(2)

"Pushcart" means a vehicle designated to be readily movable that is limited to the serving of non-potentially hazardous foods, drinks, or individually commercially packaged potentially hazardous foods (time/temperature control for safety foods) maintained at proper temperatures, or limited to the assembling and serving of frankfurters **AND CORN**. Unpackaged non-potentially hazardous food items approved for sale or dispensed from a pushcart shall be limited to popcorn, nuts, pretzels, and similar-bakery products, **COTTON CANDY**, shaved ice, snow cones, italian ice, and non-potentially hazardous drinks.



Pushcart Regulations

Chapter 8, section 3, regulation 7 (New Regulations)

M. POTENTIALLY HAZARDOUS FOOD ITEMS SOLD AS CONDIMENTS FROM A PUSH CART ARE REQUIRED TO BE STORED ON THE PUSH CART AT PROPER TEMPERATURES. THE AMOUNT OF POTENTIALLY HAZARDOUS FOODS CONDIMENTS ARE LIMITED TO SUFFICIENT STORAGE SPACE ON THE PUSH CART.

N. THE SERVICE OF ALL FOOD ITEMS, EXCLUDING PREPACKAGED NON- POTENTIALLY HAZARDOUS FOODS ITEMS, MUST BE CONDUCTED FROM THE PUSH CART UNIT.

O. BACON WRAPPED HOTDOGS MUST BE COMMERCIALY PRECOOKED OR COOKED AT THE ASSIGNED COMMISSARY PRIOR TO SALES FROM A PUSH CART.



Special Event Food Establishment

Chapter 8, Section 1, Regulation (46)(f)

Chapter 8, Section 3, Regulation 1.a.(6)

"Special Event Food Establishment" means a food establishment that operates in conjunction with one event that operates for not more than **ONE HUNDRED TWENTY** (~~14~~) (**120**) consecutive days. At the termination of the special event, the special event food establishment shall be removed from the premises.



Special Event Food Establishment

Chapter 8, Section 3, Regulation 11.a.

All seasonal food establishments **AND SPECIAL EVENT FOOD ESTABLISHMENTS OPERATING AT AN EVENT GREATER THAN 14 DAYS** shall operate in conjunction with an onsite commissary or a fixed food establishment, unless an alternate Department approval is obtained. Seasonal food establishments **AND SPECIAL EVENT FOOD ESTABLISHMENTS**, for which an alternative Department approval has not been granted, shall operate in conjunction with a commissary or fixed food establishment that is easily accessible and available for use at all times ~~the seasonal food establishment is~~ **WHILE** in operation.



Residence Accommodations

Chapter X, Section 1

SEC.1, REG 1., (A), Definitions Modifications were made to allow differentiating between a “Transient Dwelling” establishment and an extended stay establishment regardless of how the fees are collected (weekly or monthly).

SEC.1, REG 1., (D, E, F) Definitions for Licensed Pest Control Applicator, Foot Candle, and Residence Accommodation are proposed to clarify the meaning of these terms for all stakeholders.



Residence Accommodations

Chapter X, Section 1

SEC.1, REG 3., ~~Inspection of Housing~~ **RIGHT OF INSPECTION**

SEC.1, REG 4., **(C, 1, 2, 3) Sanitation of Habitable Buildings**

- Regulations are needed to resolve operational problems with water outages and to clearly outline responsibilities for the responsible person during water outages.



Residence Accommodations

Chapter X, Section 2

SEC.2, REG 1., (**L, M , N , O, P**), Dwelling Units

- Modifications were made to improve Health, Sanitation and safety in a Transient Dwelling.

SEC. 2, REG 2., (**A, C, D, E, F**), Bedding

- Modifications were made to improve Health and Sanitation in Transient Dwelling.

SEC.2, REG 3., Water Supply

- Modification was made to be clear and consistent.



Residence Accommodations

Chapter X, Section 2

SEC. 2, REG 4., (**C, H, I**), Toilet; Lavatory

- No longer required by MCESD.

SEC. 2, REG 6., (**B, E, F, G, H**), Drinking Water; Ice

- Modifications were added to improve public health protections for multiuse utensils, water and ice handling



Residence Accommodations

Chapter X, Section 2

SEC.2, REG 10., Plumbing

- The strikeout part accounts for plumbing requirements currently enforced by building codes that fall under the jurisdiction of the Building Department.

SEC.2, REG 11.,(c)Notification of Disease **AND OTHER HAZARDS**

- Modifications are proposed to improve public health protection and provide the correct agency to contact if needed.



**Thank you for your participation.
We welcome your questions
and comments.**

<http://www.maricopa.gov/regulations/>

Caroline Oppleman, M.S.P.H., R.S.

Kevin Chadwick, P.E.

Hether Krause, R.S.

Robert Stratman, M.S., R.S.

Bryan Hare, M.M., R.S.

Maricopa County Environmental Services Department

1001 N. Central Ave.

Phoenix, AZ 85004



Environmental Services Department



Stakeholder Meeting ES-2013-002 Revisions to Maricopa County Health Code Tuesday March 5, 2013 6pm

Stakeholder Present: John Ramirez – Glenwood Foods.

Staff Present: Kevin Chadwick – Water & Waste Management Division Manager, Robert Stratman – Environmental Health Operation Supervisor, Bryan Hare – Environmental Health Operation Supervisor, Hether Krause – Enforcement Operation Supervisor, Caroline Oppleman – Quality & Compliance Management Analyst, Lene Pope – Quality & Compliance Development Service Technician.

Presenters: Caroline Oppleman, Kevin Chadwick, Robert Stratman, Hether Krause

Minutes*:

Caroline Oppleman started the meeting off with a brief presentation of the EROP process; the stakeholder mentioned that he was already signed up to receive alerts. Since there was only one stakeholder present, it was decided that only the topics that would be of interest to him should be presented.

Kevin Chadwick made a brief overview of the few changes to the Water & Waste Management fee tables in chapter 1 of the Health Code. It was stated that the changes only includes reorganization and not fee changes.

Robert Stratman presented on some of the changes proposed to chapter 8 in the Health Code which are related to food. Some of the E&D permit classifications will be updated to remain current; they will allow the Department to be more flexible. Change to the definition of promotional activities that do not require a food service permit was discussed and explained.

Two more items will be added to the “pushcart” definition. They include: Corn and Cotton Candy. By adding those items to the menu, it will make it easier for the permit holder and will become more current to what is being sold on today’s market. It will also eliminate the need for many variances currently issued to pushcarts.

- So you will now be able to have and sell corn on a pushcart?
 - That’s correct. You have been able to sell corn at a pushcart in the past, but you would need to apply for a variance in order to do so. Now we are proposing to eliminate the need for that by incorporating it into the definition.

Another common item that currently requires a variance is; “Bacon Wrapped Hotdogs”. With new language added to the code, you will be able to sell them as well. They must however be commercially precooked or cooked at the assigned commissary prior to sales from a pushcart.

- If you buy prepared bacon from shamrock foods (example), will that be allowed?
 - If there is any assembly involved it comes down to that they must be prepared at the assigned commissary before being put on the pushcart. It is the same thing as other “advanced preparation” items.

These definitions are really just being expanded to allow more items for the permit holder. The definition for Special events food establishment will be changed to allow more time. Currently the code states not more than 14 days, we are proposing not more than 120 days depending on the permit type needed. It would allow the permit holder to use it for both special events and seasonal events. There will be some minor changes to the current “seasonal event” definition. Some minor changes to the chapter 1 fee table for food are also being proposed. Liquor License is being removed; it is now handled by the cities. Hether talked about some of the other minor changes to chapter 1. Mainly the Department is cleaning up the wording to make it more clear while keeping the intent the same. The stakeholder had no interest in public accommodations, so those proposed changes were not presented. No further questions or comments were received from the stakeholder present.

Meeting adjourned.

*In order for the minutes to be relevant; only those questions and comments that were applicable to the topic presented were recorded. All other questions and comments not relevant to the topic were addressed either at the time of the meeting or shortly thereafter.



Report to the Board of Health To Initiate Regulatory Change

Prepared by the Maricopa County Environmental Services Department



Environmental Services
Department

Case #/Title: ES-2013-003: Revision to Maricopa County Environmental Health Code – Food Service Worker

Meeting Date: April 22, 2013

Supervisor Districts: All Districts

Applicant: Department

Request: This code revision will establish the opportunity for those with a disability to obtain a limited use Food Service Worker Card; it also clarifies existing exemption language and enhances consistency with Chapter 8 regarding terminology. No fee changes are requested.

Support/Opposition: Attendees at the March 6th stakeholder meeting expressed support of the proposal and said it would make a positive difference for some of the students in the high school system. Stakeholders stated they would take the information back to their special education department and that this new card would open doors for some of their students who otherwise would be unable to work because of their disability.

Prior to the meeting, an email expressing support was received via EROP email. The email included a question regarding the proof of lawful presence requirement. The Department response stated that verification of lawful presence for issuance of the card still is required.

**Department
Recommendation:** Initiate

Discussion:

Proposed revisions to Chapter 7:

- Limited Use Food Service Worker Card – Include a new Limited Use Food Service Worker Card. This card would reasonably accommodate a food service worker with disability who can only perform certain job duties based on their capabilities.

- Regulation 7: Exemptions – Correct exemption language. To provide consistent enforcement of the regulation, change language from packaged “or” non-PHF to packaged “and” non-PHF. The language also would include time/temperature control for safety (TCS) food.

This proposed regulatory change will follow the Enhanced Regulatory Outreach policy and workflow process.

The County Manager briefed the the Board of Supervisors in February 2013.

A stakeholder meeting was conducted on March 6, 2013.

Department Recommendation:

Staff recommends the Board of Health approve **initiation** of the proposed revision to the Maricopa County Environmental Health Code.

Presented by: John Kolman, R.S., MBA, Director

Attachments: Proposed Code Revision Language (3 Pages)
Presentation – Stakeholder Meeting (3/6/13) – (9 Pages)
Minutes – Stakeholder Meeting (3/6/13) – (1 Page)
Other Stakeholder Input & Department Response (copies of written/electronic) (2 Pages)

MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

CHAPTER VII

FOOD SERVICE WORKERS/MANAGERS

REGULATION 1. Definitions

- b. ~~A.~~ A. “Food Service Manager” means any person who supervises/trains a food service worker(s) to follow all food safety regulations (Chapter VII and Chapter VIII). The manager shall be a full time employee of the individually permitted food establishment where employed

- B. “FOOD SERVICE MANAGER CARD” MEANS A DOCUMENT ISSUED BY THE DEPARTMENT CERTIFYING THAT AN INDIVIDUAL HAS FULFILLED THE REQUIREMENTS TO WORK AS A FOOD SERVICE MANAGER.

- ~~a.~~ C. “Food Service Worker” means any person who handles, prepares, serves, sells or gives away food for consumption by persons other than his or her immediate family, or who handles utensils and equipment appurtenant thereto. The term does not include persons in establishments regulated under this Code who handle food or drink exclusively in closed crates, cartons, packages, bottles or similar containers in which no portion of the food or drink is exposed to contamination through such handling.

- e. D. “Food Service Worker Card” means a document issued by the Department certifying that an individual has fulfilled the requirements to work as a food service worker.
~~“Food Service Manager Card” means a document issued by the Department certifying that an individual has fulfilled the requirements to work as a food service manager.~~

- E. “LIMITED USE FOOD SERVICE WORKER CARD” MEANS A DOCUMENT ISSUED BY THE DEPARTMENT CERTIFYING THAT AN INDIVIDUAL WITH A DISABILITY HAS FULFILLED THE REQUIREMENTS TO PERFORM SPECIFIC LOW PUBLIC HEALTH RISK ACTIVITIES.

REGULATION ~~3.2.~~ 3.2. Display of Food Service Worker/Manager Cards

No Change

REGULATION 3 LIMITED USE FOOD SERVICE WORKER CARDS

THE DEPARTMENT MAY ISSUE A LIMITED USE CARD WHEN REQUESTED TO REASONABLY ACCOMMODATE A PERSON WITH A DISABILITY.

- A. A PERSON WITH A LIMITED USE FOOD SERVICE WORKER CARD SHALL BE UNDER DIRECT SUPERVISION OF THE FOOD ESTABLISHMENT'S FOOD SERVICE MANAGER AT ALL TIMES WHEN HANDLING FOOD OR FOOD CONTACT SURFACES.**

- B. THE FOOD ESTABLISHMENT'S FOOD SERVICE MANAGER SHALL BE RESPONSIBLE FOR ALL LIMITED USE FOOD SERVICE WORKER CARD APPLICANTS AND FOR REQUESTING A DEPARTMENT ONSITE VISIT TO HAVE THE DEPARTMENT OFFICIALLY DOCUMENT ANY TRAINING AND TO WITNESS THE APPLICANT'S ASSOCIATED FUNCTIONS AND DUTIES ASSIGNED BY THE FOOD SERVICE MANAGER.**

- C. UPON DEPARTMENT APPROVAL, THE APPLICANT WILL RECEIVE WRITTEN AUTHORIZATION TO HAVE A LIMITED USE FOOD SERVICE WORKER CARD ISSUED AT THE DEPARTMENT'S OFFICES WITH PROOF OF LAWFUL PRESENCE IN ACCORDANCE WITH ARIZONA STATE STATUTE (A.R.S. § 41-1080).**

- D. THE LIMITED USE FOOD SERVICE WORKER CARD SHALL EXPIRE THREE YEARS FROM THE DATE OF ISSUE AND THE FEE IS THE SAME AS LISTED IN CHAPTER I OF THIS CODE FOR FOOD SERVICE WORKER CARDS.**

- E. APPLICANTS MAY HAVE A LIMITED USE FOOD SERVICE WORKER CARD REISSUED BY FOLLOWING PARAGRAPHS A. THROUGH D. OF THIS REGULATION.**

REGULATION 4. Food Service Manager Training

- a. No Change

REGULATION ~~2.~~ 5. Food Service Worker Training

No Change

REGULATION ~~5.~~ 6. Food Service Manager's Duty

a. and b. No Change

REGULATION ~~6.7.~~ 7. Communicable Disease

a. to c. No Change

REGULATION ~~7.8.~~ 8. Exemptions

Any food establishment, AS DEFINED IN CHAPTER VIII OF THIS CODE, exclusively serving packaged ~~or~~ AND non- NOT potentially hazardous foods (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD), ~~as defined in Chapter VIII of this Code~~, is exempt from Regulations 4 and ~~5-6~~ 6 of this Chapter.



Initial Stakeholder Meeting

**Proposed Revisions
Maricopa County Environmental Health Code**

**ES-2013-003
Food Service Worker**

Maricopa County Environmental Services Department

March 6, 2013



Maricopa County Environmental Services Department

**Working with our community
to ensure a safe and healthy environment**

VISION STATEMENT:

As the recognized regional environmental leader, we will develop and foster innovative environmental health protection programs for the safety of our residents and their environment.

MISSION STATEMENT:

The mission of the Environmental Services Department is to provide safe food, water, waste disposal and vector borne disease reduction controls to the people of Maricopa County so that they may enjoy living in a healthy and safe community.



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Proposed Language

Limited Use Food Service Worker Cards

The Department may issue a limited use card when requested to reasonably accommodate a person with a disability.

1. A person applying to obtain a limited use card shall communicate to the Department which low public health risk activity(ies) (e.g. dishwashing, bussing tables, filling condiment containers) he or she will be performing.
2. The Department may require the applicant to attend the food safety training associated with the issuance of food worker cards. Onsite verification of successful execution of job duties is required for the issuance of limited use cards.
3. The fee and length of validity of limited use cards are the same as all other food service worker cards.
4. The employer should ensure that the individual is provided with information to safely perform the activity(ies) listed on the card.
5. Certified Food Manager must be present when a worker with limited use food service worker card is present in the permitted establishment.

CH 7, Reg. 7 Exemption

- To provide consistent enforcement of the regulation, change language from packaged “or” non-PHF to packaged “and” non-PHF.



**Thank you for your participation.
We welcome your questions
and comments.**

<http://www.maricopa.gov/regulations/>

Caroline Oppleman, M.S.P.H., R.S.

Shikha Gupta, M.Sc., M.S., R.S.

Maricopa County Environmental Services Department

1001 N. Central Ave.

Phoenix, AZ 85004



Environmental Services Department



Stakeholder Meeting ES-2013-003 Food Service Worker Limited Use Card Wednesday March 6, 2013 10:00 am

Stakeholders Present: Pam Richards – Phoenix Union High School District, Phyllis Kroeger – Phoenix Union High School District.

Staff Present: Shikha Gupta – Quality & Compliance Operation Supervisor, David Morales – Quality & Compliance Supervisor, Caroline Oppleman – Quality & Compliance Management Analyst, Lene Pope – Quality & Compliance Development Service Technician.

Presenter(s): Caroline Oppleman, Shikha Gupta

Minutes*:

Introductions were made. The stakeholders both work with the culinary arts programs at the high schools and mentioned that their programs have been severely impacted with some of the previous changes made to the food service worker program.

Caroline Oppleman made a brief presentation on the EROP process. Both the stakeholders signed up to receive alerts from the website.

Shikha Gupta presented the proposed language about “Limited Use Food Service Worker Cards”. The idea behind this; is that there are people with special needs or special disabilities that are only able to perform certain tasks; they can only be trained in some aspects of the regular card or in the food code. This card will allow them to perform a task that is considered “a low public health risk” and be trained in a very specific area. They will attend the food service worker training, but they will not be required to take the test. The cost of the card will be the same as the regular card.

- This will make a difference for some of the students that we have in our high school system, and we will bring this information back to the special education department, so they will understand that this new card will open some doors for some of our students that otherwise would not be able to work because of their disability. So this will be a good thing for us.

The other change that we are proposing is to Chapter 7, Reg. 7 Exemption of the Maricopa County Environmental Health Code. This is to provide consistent enforcement language throughout the regulation.

No further questions or comments were received from the stakeholders present.

Other topics not relevant to the proposed change were discussed.

Meeting adjourned.

*In order for the minutes to be relevant; only those questions and comments that were applicable to the topic presented were recorded. All other questions and comments not relevant to the topic were addressed either at the time of the meeting or shortly thereafter.

Caroline Oppleman - ENVX

From: EROP Stakeholders
Sent: Monday, February 25, 2013 10:05 AM
To: wilberscheid@phoenixunion.org
Cc: Suzanne Gray - PLANDEVX
Subject: Response/ES-2013-003 – Revisions to Maricopa County Environmental Health Code – Food Service Worker

Dear Mr. Wilberscheid,

Thank you for your participation.

The Limited Use Food Service Worker Card would be required to follow A.R.S. § 41-1080 for lawful presence. Lawful presence is required to be proven for the card to be issued. It is not a temporary card.

We encourage you to attend the upcoming stakeholder workshop:

ES-2013-003 – Revisions to Maricopa County Environmental Health Code – Food Service Worker
Wednesday, March 6, 2013, 10:00 a.m.
Maricopa County Environmental Services Department
Northern Regional Office Training Room
15023 N. 75th St., Scottsdale, AZ 85260

Food Service Worker Program

Maricopa County Environmental Services Department
esd.maricopa.gov | maricopa.gov/regulations/es



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to ensure a safe and healthy environment



Environmental Services
Department

From: Caroline Oppleman - ENVX
Sent: Monday, February 25, 2013 9:25 AM
To: EROP Stakeholders
Subject: FW: Regulatory Outreach

From: Suzanne Gray - PLANDEVX
Sent: Monday, February 25, 2013 7:48 AM
To: wilberscheid@phoenixunion.org
Cc: Hether Krause - ENVX; Caroline Oppleman - ENVX
Subject: RE: Regulatory Outreach

Mr. Wilberscheid –

Thank you for contacting us through Maricopa County's new regulations web-site. I've copied members of the project team who oversee the revision to the Health Code that you are inquiring about. They should respond to your question within 24 hours.

Feel free to contact me if you should need additional assistance.

Suzanne Gray

Suzanne Gray
Special Projects Manager
Office of Deputy County Manager Joy Rich
301 W. Jefferson, Suite 160
Phoenix, AZ 85003
(602) 506-7167; (602) 506-3951(fax)

From: wilberscheid@phoenixunion.org [mailto:wilberscheid@phoenixunion.org]

Sent: Saturday, February 23, 2013 2:13 PM

To: Regulatory

Subject: Regulatory Outreach

Citizen Comments

Issue: ES-2013-003 – Revisions to Maricopa County Environmental Health Code – Food Service Worker

Citizen's Name: Dean wilberscheid

City: phoenix

Zip: 85015

Phone Number: 602-708-3887

Phone Type: mobile

Email: wilberscheid@phoenixunion.org

Does citizen want to be contacted: yes

Comment is regarding: express support

Comments:

This issue ES-2013-003 does this provide for our students that cannot obtain a food handler card do to legal status. Will they be able to receive a temporary card for student use only? The last 2 years has seen a dramatic decrease in enrolment in Culinary Arts where a FHC is required, to the point of canceling programs. Dean Wilberscheid Executive Chef Culinary Arts Metro Tech High School

Time of Request: 2/23/2013 2:12:35 PM



Report to the Board of Health To Initiate Regulatory Change

Prepared by the Maricopa County Environmental Services Department



Environmental Services
Department

Case #/Title: ES-2013-004: Revisions to Maricopa County Environmental Health Code – Chapter 2, Sewage and Wastes – Technical Revisions to Onsite Wastewater Rules and Clarification of Livestock Manure Storage Requirements

Meeting Date: April 22, 2013

Supervisor Districts: All Districts

Applicant: Department

Request: These code revisions will provide technical clarifications for onsite wastewater systems and exempt livestock manure from unintended, cost-prohibitive refuse storage requirements. No fee changes are requested.

Support/Opposition: No opposition has been expressed regarding this case. A stakeholder meeting was conducted on March 26, 2013 at which no stakeholders were present.

Department Recommendation: **Initiate**

Discussion:

Chapter 2 , Sewage and Wastes

- Onsite Wastewater Rules – Revise the chapter to clarify protection required for waste lines between house, septic tank and disposal area, such as type of pipe or pipe sleeves. Specify minimum separation between different onsite wastewater system disposal types, such as disposal trench fields and drilled pits.
- Refuse Storage, New Livestock Exemption – In Section 1, the definition of “refuse” includes “manure”. Section 3, refuse storage, requires refuse to be stored in durable containers. Storage requirements for livestock manure (horses, cattle, pigs, goats, sheep) are stated in Chapter XI. A note at the top of Section 3 referencing Chapter XI for manure and droppings is unclear. Revise Chapter 2, Section 3, Regulation 1 to exempt livestock manure from that paragraph’s refuse storage requirements as follows: “Manure from livestock (horses, cattle, pigs, goats, sheep) is exempt from the requirements of this paragraph and subject to the requirements of Chapter XI. This revision

will remove unintended cost-prohibitive manure storage requirements for livestock keepers.

This proposed regulatory change will follow the Enhanced Regulatory Outreach policy and workflow process.

The County Manager briefed the brief the Board of Supervisors in February 2013.

A stakeholder meeting was conducted on March 26, 2013. No stakeholders attended.

Department Recommendation:

Staff recommends the Board of Health approve **initiation** of the proposed revision to the Maricopa County Environmental Health Code.

Presented by: John Kolman, R.S., MBA, Director

Attachments: Proposed Code Revision Language (2 Pages)
Presentation – Stakeholder Meeting (3/26/13) – (17 Pages)

MARICOPA COUNTY HEALTH CODE

CHAPTER II

SEWAGE AND WASTES

SECTION 3

REFUSE STORAGE

~~(NOTE: For manure and droppings, see Chapter XI)~~

REGULATION 1. Storage of Refuse - General

Refuse shall be kept and stored so that it may not be readily scattered or become windblown, and where practicable, in durable containers. The owner, agent or occupant of every dwelling, business establishment, or other premise where refuse accumulates shall provide a sufficient number of suitable and approved containers for receiving and storing refuse and shall keep all refuse therein except as otherwise provided by this chapter. MANURE FROM LIVESTOCK (HORSES, CATTLE, PIGS, GOATS, SHEEP) IS EXEMPT FROM THE REQUIREMENTS OF THIS PARAGRAPH AND SUBJECT TO THE REQUIREMENTS OF CHAPTER XI.

REGULATION 2. No Change

REGULATION 3. No Change

MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

CHAPTER II

SEWAGE AND WASTES

SECTION 8

ONSITE WASTEWATER TREATMENT FACILITIES

REGULATION 1. to REGULATION 4. No Change

REGULATION 5. Minimum Requirements for the Design, Installation, Site Investigation, and Operation of Onsite Wastewater Treatment Facilities and Gray Water Disposal Systems.

a. to d. No Change

E. ONSITE WASTEWATER TREATMENT FACILITY COLLECTION AND TRANSMISSION PIPELINES SHALL BE DESIGNED AND CONSTRUCTED WITH SPECIAL PROTECTION AS FOLLOWS.

(1) BELOW ANY PARKING OR ROAD SURFACES, STRUCTURES AND IN AREAS WHERE ADDITIONAL COMPRESSIVE STRENGTH OR EROSION RESISTANCE IS REQUIRED, PVC SCHEDULE 40 OR EQUIVALENT PIPE SHALL BE USED.

(2) PIPELINES THAT CROSS OR ARE CONSTRUCTED IN A WASH, DITCH, CULVERT OR OTHER AREA THAT HAS THE POTENTIAL TO CARRY WATER FROM A STORM, FLOODING OR OTHER SURFACE RUNOFF EVENT SHALL BE PLACED AT LEAST 2 FEET BELOW THE SCOUR DEPTH AND CONSTRUCTED USING DUCTILE IRON OR OTHER MATERIAL OF EQUIVALENT OR GREATER TENSILE AND COMPRESSIVE STRENGTH, SHEAR RESISTANCE, AND SCOUR PROTECTION. IF IT IS NOT POSSIBLE TO MAINTAIN 2 FOOT DEPTH SEPARATION REQUIREMENT, THE PROCESS DESCRIBED IN R18-9-A312(G) TO PROVIDE A DESIGN SHALL BE USE TO ENSURE THAT THE LINE WILL WITHSTAND ANY LATERAL AND VERTICAL LOAD FOR THE 100-YEAR SCOUR AND BED DEGRADATION CONDITIONS.

F. THE MINIMUM SPACING MEASURED BETWEEN THE NEAREST SIDE WALLS OF DIFFERENT DISPOSAL TYPES MUST BE THE LARGEST MINIMUM SPACING REQUIRED BY R18-9-E302(C) FOR THE DIFFERENT DISPOSAL TECHNOLOGIES INVOLVED.

REGULATION 6. No Change



Initial Stakeholder Meeting

Proposed Revisions

Maricopa County Environmental Health Code

ES-2013-004

**Revisions to Maricopa County Environmental Health Code –
Chapter 2, Sewage and Wastes – Technical Revisions to Onsite
Wastewater Rules and Clarification of Livestock Manure Storage
Requirements**

Maricopa County Environmental Services Department

March 26, 2013



Maricopa County Environmental Services Department

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to ensure a safe and healthy environment**

VISION STATEMENT:

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Case #/Title: ES-2012-004

**Revision to Maricopa County
Environmental Health Code**

Chapter 2 , Sewage and Wastes



Section 8: Onsite Wastewater Treatment Facilities Construction Requirements

Additions to Regulation 5(e)&(f)

1. Buried Pipe Protection
2. Separation of Different
Disposal Types



Chapter 2, Section 8, Reg. 5 (e)

Buried Pipe Protection

- i. Sch 40 under driveways
- ii. DI under drainage ways



**MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE
CHAPTER II
SEWAGE AND WASTES
SECTION 8
ONSITE WASTEWATER TREATMENT FACILITIES**

REGULATION 5. Minimum Requirements for the Design, Installation, Site Investigation, and Operation of Onsite Wastewater Treatment Facilities and Gray Water Disposal Systems.

E. Onsite wastewater treatment facility collection and transmission pipelines shall be designed and constructed with special protection as follows.

i. Below any parking or road surfaces, structures and in areas where additional compressive strength or erosion resistance is required, PVC schedule 40 or equivalent pipe shall be used.

ii. Pipelines that cross or are constructed in a wash, ditch, culvert or other area that has the potential to carry water from a storm, flooding or other surface runoff event shall be placed at least 2 feet below the scour depth and constructed using ductile iron or other material of equivalent or greater tensile and compressive strength, shear resistance, and scour protection. If it is not possible to maintain 2 foot depth separation requirement, use the process described in R18-9-A312(G) to provide a design that ensures that the line will withstand any lateral and vertical load for the 100-year scour and bed degradation conditions.



Chapter 2, Section 8, Reg. 5 (f)

Separation of Different Disposal Types

R18-9-E302(C) 2.c.10, 3.b.4, 5.c



MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE
CHAPTER II
SEWAGE AND WASTES
SECTION 8
ONSITE WASTEWATER TREATMENT FACILITIES



REGULATION 5. Minimum Requirements for the Design, Installation, Site Investigation, and Operation of Onsite Wastewater Treatment Facilities and Gray Water Disposal Systems.

f. The minimum spacing measured between the nearest side walls of different disposal types must be the largest minimum spacing required by R-18-9-E302(C) for the different disposal technologies involved.



CH 2, Section 3: Refuse Storage

CH XI, Section 1: Animal Waste

Problem: Refuse Definition
includes Manure



CH 2, Section 3: Refuse Storage

Refuse containers must be sealed.

Ch IX provides other options for manure.



Section 3: Refuse Storage

Wording Added

Manure from livestock (horses, cattle, pigs, goats, sheep) is exempt from the requirements of this paragraph and subject to the requirements of Chapter XI.



Livestock Manure Storage

Requirements in Chapter XI
Animals
Section 1, Regulation 1



**Thank you for your participation.
We welcome your questions
and comments.**

<http://www.maricopa.gov/regulations/>

Caroline Oppleman, M.S.P.H., R.S.

Greg Maupin, P.E.

Maricopa County Environmental Services Department

1001 N. Central Ave.

Phoenix, AZ 85004



Report to the Board of Health To Initiate Regulatory Change

Prepared by the Maricopa County Environmental Services Department



Environmental Services
Department

Case #/Title: ES-2012-005: Revision to Maricopa County Environmental Health Code, Chapter 6 , Bathing Places – Public and Semipublic Swimming Pools – Pool Construction Requirements

Meeting Date: April 22, 2013

Supervisor Districts: All Districts

Applicant: Department

Request: This code revision will clarify certain pool construction requirements to prevent varied interpretations. No fee changes are requested.

Support/Opposition: No opposition has been expressed regarding this case. A stakeholder meeting was conducted on March 26, 2013 at which no stakeholders were present.

Department Recommendation: Initiate

Discussion:

Revise Chapter 6, to clarify pool construction requirements language to address instances of differing code interpretations by contractors and the Department due to lack of specificity, e.g., specify placement of "no diving tiles" at each depth marker in pools and minimum of two depth markers on the deck and at the waterline in spas. Specify size, color and location of tiles that must be placed on underwater steps, replacing requirement that steps must be "clearly visible." In Section 14, Zero Depth Entry Pools, add to heading paragraph the missing references to complying with design requirements for public and semipublic pools, Sections 6 and 7.

This proposed regulatory change will follow the Enhanced Regulatory Outreach policy and workflow process.

The County Manager briefed the brief the Board of Supervisors in February 2013.

A stakeholder meeting was conducted on March 26, 2013. No stakeholders attended.

Department Recommendation:

Staff recommends the Board of Health approve **initiation** of the proposed revision to the Maricopa County Environmental Health Code.

Presented by: John Kolman, R.S., MBA, Director

Attachments: Proposed Code Revision Language (4 Pages)
Presentation – Stakeholder Meeting (3/26/13) – (20 Pages)

MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

CHAPTER VI

BATHING PLACES - PUBLIC AND SEMIPUBLIC SWIMMING POOLS

SECTION 3

GENERAL DESIGN STANDARDS AND SPECIFICATIONS

REGULATION 1. to REGULATION 10. No Change

REGULATION 11. Drains

- a. Pools shall be equipped with at least two (2), main drains located in the deepest portion ~~that are separated by a minimum of~~ WITH CENTERS AT LEAST three (3) feet APART and that are constructed to prevent suction entrapment under all operating conditions. Each drain shall be covered by an anti-vortex cover or an approved grate that has a minimum diagonal measurement of 24 inches, which is not readily removable by bathers and has safe openings of at least four (4) times the area of the drain pipe. EACH DRAIN PIPE CONNECTION SHALL BE UNDER THE CENTER OF THE DRAIN COVER.

b. to e. No Change

REGULATION 12. to REGULATION 21. No Change

REGULATION 22. Signs

- a. Diving equipment is prohibited in a public or semipublic swimming pool that does not meet the minimum requirements for a diving board in Section 6, Regulation 6, of this Code. If a public or semipublic swimming pool does not meet the dimensional requirements prescribed in Section 6, Regulation 6 of this code for diving, the owner shall prominently display at least one (1) sign that cautions users of the swimming pool that diving is prohibited. The warning sign shall state “CAUTION SHALLOW WATER NO DIVING” in letters that are four (4) inches or larger or display the international symbol for no diving. Diving from the deck of a public or semipublic swimming pool into water that is less than five (5) feet deep shall be prohibited. Warning markers indicating in words or symbols that diving is prohibited shall be placed on the deck, ADJACENT TO EACH WATER DEPTH MARKER, within 18 inches of the side of the shallow area of the swimming pool. A warning marker shall be positioned so that a person standing on the deck facing the water can read it.

b. to d. No Change

REGULATION 23. No Change

MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

CHAPTER VI

BATHING PLACES - PUBLIC AND SEMIPUBLIC SWIMMING POOLS

SECTION 6

PUBLIC SWIMMING POOLS

REGULATION 1. No Change

REGULATION 2. No Change

REGULATION 3. Ladders, Steps, and Recessed Treads

At least one (1) set of steps shall be provided in the shallow end of each swimming pool. Where the deep section is greater than 20 feet in width, two (2) ladders, located on opposite sides of the deep section are required. A minimum of two (2) means of egress will be required in all pools. There shall be at least one (1) ladder or stair for each 75 feet of perimeter. Preformed step holes and suitable handrails may be substituted for ladders. At least one (1) set of steps shall be provided in the shallow end of each swimming pool.

- a. Steps must be permanently marked so as to be clearly visible from above or below the SWIMMING pool surface. THE EDGES OF THE STEPS SHALL BE CLEARLY OUTLINED WITH A SHARPLY CONTRASTING COLORED TILE OR OTHER MATERIAL THAT IS CLEARLY VISIBLE FROM THE DECK ADJACENT TO THE STEPS. THE TILE OR OTHER MATERIAL SHALL BE AT A MINIMUM, A CONTINUOUS 1-INCH BAND OR 2-INCH SQUARE CHIPS SPACED NO MORE THAN 8-INCHES APART, WHEN MEASURED BETWEEN THE EDGE OF THE CHIPS. ~~and~~ STEPS shall not project into the pool in a manner, which will create a hazard. Steps may be constructed only in the shallow area of a public or semipublic swimming pool. All tread surfaces on steps shall have slip-resistant surfaces. Step treads shall have a minimum unobstructed horizontal depth of ten (10) inches. Risers shall have a maximum uniform height of 12 inches, with the bottom riser height allowed to vary plus or minus two (± 2) inches from the uniform riser height. The location of stairs, ladders, and recessed treads shall not interfere with racing lanes. A set of steps shall be provided in a public or semipublic spa. Handrails shall be provided at one side or in the center of all stairways. Handrails shall be installed in such a way that they can be removed only with tools. A beach entry may be substituted for steps in the shallow end of the pool.

REGULATION 4. to REGULATION 14. No Change

**MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE
CHAPTER VI**

**BATHING PLACES - PUBLIC AND
SEMPUBLIC SWIMMING POOLS**

SECTION 9

SPAS

REGULATION 1. to REGULATION 9. No Change

REGULATION 10. Depth Markers

Depth markers for a public or semipublic spa shall comply with all of the following:

- a. A public or semipublic spa shall have permanent depth markers with numbers that are a minimum of four (4) inches high. Depth markers shall be plainly and conspicuously visible from all points of entry.
- b. The maximum depth of a public or semipublic spa shall be clearly indicated by depth markers.
- c. There shall be a minimum of two (2) depth markers ON THE DECK AND TWO (2) DEPTH MARKERS AT THE WATERLINE at each public or semipublic spa.
- d. to g. No Change

MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

CHAPTER VI

BATHING PLACES - PUBLIC AND SEMIPUBLIC SWIMMING POOLS

SECTION 14

D. ZERO DEPTH ENTRY POOLS

In addition to complying with the Regulations in Sections 1, 2, 3, 4, ~~and 5~~ AND EITHER 6 (PUBLIC POOLS) OR 7 (SEMI-PUBLIC POOLS) of this Chapter, Zero Depth Entry Pools shall comply with the following Regulations:

REGULATION 1. Circulation System

a. to c. No Change

REGULATION 2. Floor

- a. No Change
- b. No Change

REGULATION 3. Handrails

No Change



Initial Stakeholder Meeting

Proposed Revisions Maricopa County Environmental Health Code

ES-2013-005

**Revision to Maricopa County Environmental Health Code
Chapter 6, Bathing Places
Public and Semipublic Swimming Pools
Pool Construction Requirements**

Maricopa County Environmental Services Department

March 26, 2013



Maricopa County Environmental Services Department

**Working with our community
to ensure a safe and healthy environment**

VISION STATEMENT:

As the recognized regional environmental leader, we will develop and foster innovative environmental health protection programs for the safety of our residents and their environment.

MISSION STATEMENT:

The mission of the Environmental Services Department is to provide safe food, water, waste disposal and vector borne disease reduction controls to the people of Maricopa County so that they may enjoy living in a healthy and safe community.



MARICOPA COUNTY ENHANCED REGULATORY OUTREACH PROGRAM



Maricopa County has five regulatory departments that seek to ensure the safety and well-being of our community. Because we understand that regulations and rulemaking decisions, discussions, and meetings can be confusing, we developed the Enhanced Regulatory Outreach Program that allows citizens to easily monitor and engage in the adoption and amendment of all regulations.

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<http://www.maricopa.gov/regulations/>





FOLLOW MARICOPA COUNTY'S REGULATORY ADOPTION PROCESS STEP-BY-STEP

- Step 1** County Manager Briefed Board of Supervisors
- Step 2** Conduct Stakeholder Workshop
- Step 3** Stakeholder Notification 2 Weeks Prior to Citizen's Board or Commission
- Step 4** Public Meeting to Initiate Regulatory Change
- Step 5** Specific Departmental Processes
- Step 6** Stakeholder Notification 2 Weeks Prior to Citizen's Board or Commission
- Step 7** Public Meeting to Make Recommendation to Board of Supervisors
- Step 8** Schedule BOS Public Hearing
- Step 9** Board of Supervisor Public Hearing
- Step 10** Item Adopted



RECEIVE UP TO DATE NOTIFICATIONS – STAY INFORMED –

Sign up today to receive notice from the five Maricopa County regulatory departments about calendar changes or where items are in the process by visiting:

<http://www.maricopa.gov/regulations/Notifications.aspx>



ENHANCED PUBLIC PARTICIPATION – STAY INVOLVED –

Your comments are important! Feedback is compiled and presented to every voting body to help policymakers during the decision process.

Submit comments for every proposed regulation going through this program by visiting:

<http://www.maricopa.gov/regulations/comments.aspx>



Case #/Title: ES-2012-005

Revision to Maricopa County
Environmental Health Code

Chapter 6 , Bathing Places – Public and
Semipublic Swimming Pools
Pool Construction Requirements



Minor Revisions to Chapter 6 to clarify pool construction requirements

Five Changes



1. Clarify That Split Drains Will Be Measured 36 Inches From Center To Center of Pipe.



MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE CHAPTER VI



BATHING PLACES - PUBLIC AND SEMIPUBLIC SWIMMING POOLS

SECTION 3

General Design Standards and Specifications

REGULATION 11. Drains

- a. Pools shall be equipped with at least two (2), main drains located in the deepest portion ~~that are separated by a minimum of~~ with centers at least three (3) feet apart and that are constructed to prevent suction entrapment under all operating conditions. Each drain shall be covered by an anti-vortex cover or an approved grate that has a minimum diagonal measurement of 24 inches, which is not readily removable by bathers and has safe openings of at least four (4) times the area of the drain pipe. Each drain pipe connection shall be under the center of the drain cover.
- b. Drains shall be spaced at intervals of not greater than one (1) each 20 feet of pool width in the deepest portion and not more than 15 feet from each side wall.
- c. A minimum of two (2) suction outlets shall be provided for each pump in a suction outlet system for a public or semipublic pool or spa. The suction outlets shall be separated by a minimum of three (3) feet or located on two (2) different planes (i.e. one suction outlet on the bottom and one (1) on a vertical wall or one (1) suction outlet each on two (2) separate vertical walls) as long as the three (3) foot separation is always maintained. The suction outlets shall be plumbed to draw water through them simultaneously through a common line to the pump. Suction outlets shall be plumbed to eliminate the possibility of entrapping suction, and be equipped with an approved anti-vortex cover.
- d. The total velocity of water through grate openings of the drain shall not exceed one and one-half (1 1/2) feet per second.
- e. No check valve may be installed between a suction outlet and a pump.



2. Clarify Where No Dive Placard Shall Be Placed On Deck Surfaces.



MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE CHAPTER VI



BATHING PLACES - PUBLIC AND SEMIPUBLIC SWIMMING POOLS

SECTION 3

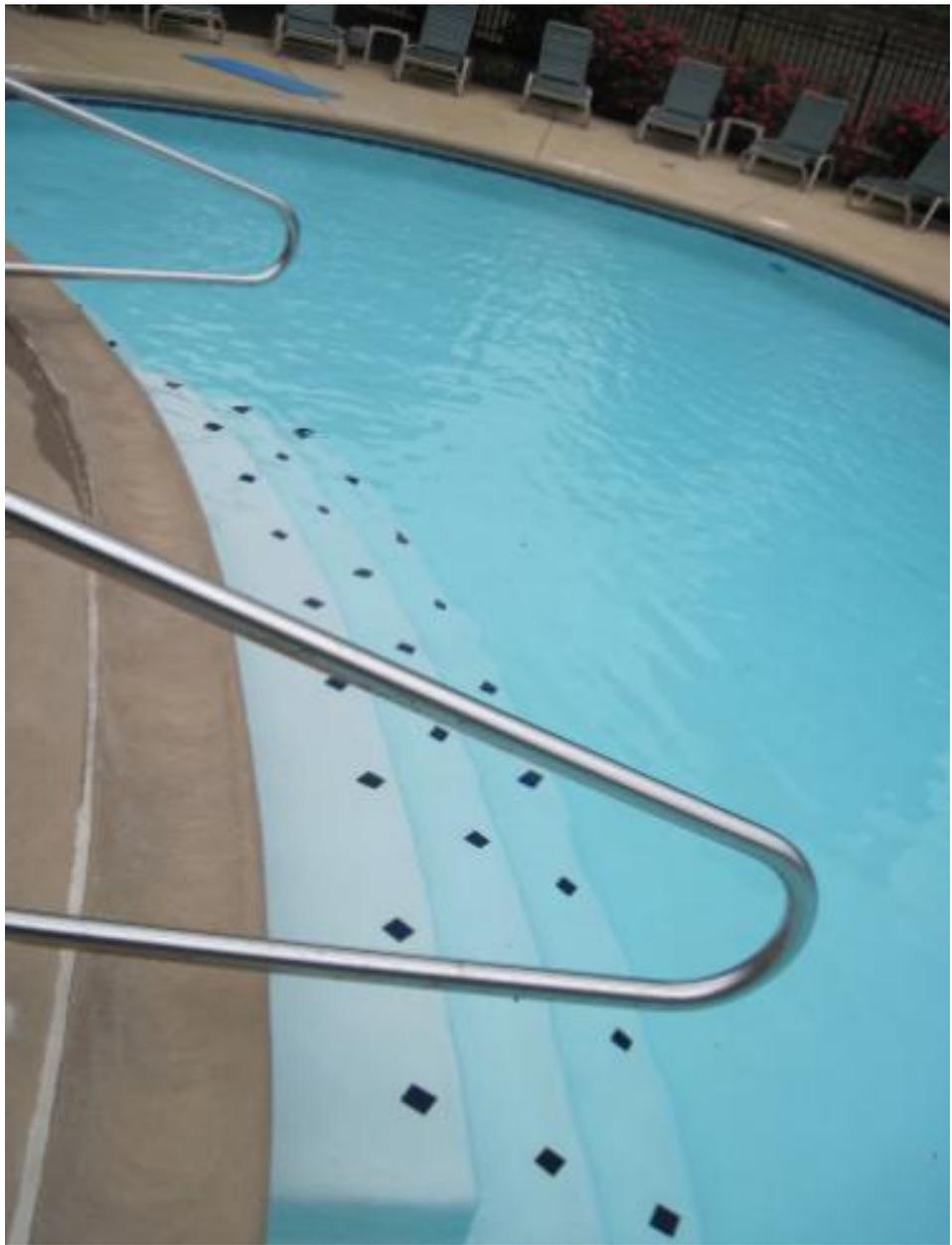
General Design Standards and Specifications

REGULATION 22. Signs

- a. Diving equipment is prohibited in a public or semipublic swimming pool that does not meet the minimum requirements for a diving board in Section 6, Regulation 6, of this Code. If a public or semipublic swimming pool does not meet the dimensional requirements prescribed in Section 6, Regulation 6 of this code for diving, the owner shall prominently display at least one (1) sign that cautions users of the swimming pool that diving is prohibited. The warning sign shall state "CAUTION SHALLOW WATER NO DIVING" in letters that are four (4) inches or larger or display the international symbol for no diving. Diving from the deck of a public or semipublic swimming pool into water that is less than five (5) feet deep shall be prohibited. Warning markers indicating in words or symbols that diving is prohibited shall be placed on the deck, [adjacent to each water depth marker](#), within 18 inches of the side of the shallow area of the swimming pool. A warning marker shall be positioned so that a person standing on the deck facing the water can read it.
- b. All persons shall be instructed before entering the pool, by means of suitable, clearly lettered signs properly located, to observe all safety regulations.
- c. The maximum bathing load for a public or semipublic swimming pool or spa shall be posted.
- d. When food preparation or food service equipment is allowed within the pool enclosure, a sign is required stating that no glass is allowed in the pool enclosure, that only paper and plastic service is allowed, and that no food or drink is allowed within four (4) feet of a semipublic pool or spa edge or ten (10) feet of a public pool or spa edge.



3. Clarify How Step Edges Shall Be Outlined in Pools.





MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE CHAPTER VI



BATHING PLACES - PUBLIC AND SEMIPUBLIC SWIMMING POOLS

SECTION 6

PUBLIC SWIMMING POOLS

REGULATION 3. Ladders, Steps, and Recessed Treads

At least one (1) set of steps shall be provided in the shallow end of each swimming pool. Where the deep section is greater than 20 feet in width, two (2) ladders, located on opposite sides of the deep section are required. A minimum of two (2) means of egress will be required in all pools. There shall be at least one (1) ladder or stair for each 75 feet of perimeter. Preformed step holes and suitable handrails may be substituted for ladders. At least one (1) set of steps shall be provided in the shallow end of each swimming pool.

- a. Steps must be permanently marked so as to be clearly visible from above or below the swimming pool surface. The edges of the steps shall be clearly outlined with a sharply contrasting colored tile or other material that is clearly visible from the deck adjacent to the steps. The tile or other material shall be at a minimum, a continuous 1-inch band or 2-inch square chips spaced no more than 8-inches apart, when measured between the edge of the chips. ~~and~~ Steps shall not project into the pool in a manner, which will create a hazard. Steps may be constructed only in the shallow area of a public or semipublic swimming pool. All tread surfaces on steps shall have slip-resistant surfaces. Step treads shall have a minimum unobstructed horizontal depth of ten (10) inches. Risers shall have a maximum uniform height of 12 inches, with the bottom riser height allowed to vary plus or minus two (2) inches from the uniform riser height. The location of stairs, ladders, and recessed treads shall not interfere with racing lanes. A set of steps shall be provided in a public or semipublic spa. Handrails shall be provided at one side or in the center of all stairways. Handrails shall be installed in such a way that they can be removed only with tools. A beach entry may be substituted for steps in the shallow end of the pool.



4. Clarify How Depth Markers Shall Be Installed in Spas.



MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE CHAPTER VI



BATHING PLACES - PUBLIC AND SEMIPUBLIC SWIMMING POOLS

SECTION 9

SPAS

REGULATION 10. Depth Markers

Depth markers for a public or semipublic spa shall comply with all of the following:

- a. A public or semipublic spa shall have permanent depth markers with numbers that are a minimum of four (4) inches high. Depth markers shall be plainly and conspicuously visible from all points of entry.
- b. The maximum depth of a public or semipublic spa shall be clearly indicated by depth markers.
- c. There shall be a minimum of two (2) depth markers on the deck and two (2) depth markers at the waterline at each public or semipublic spa.
- d. Depth markers shall be spaced at no more than 25 foot intervals and shall be uniformly located around the perimeter of the spa.
- e. Depth markers shall be positioned on the deck within 18 inches of the side of the spa. A depth marker shall be positioned so that a person standing on the deck facing the water can read it.
- f. Depth markers that are on deck surfaces shall be made of slip-resistant material.
- g. Depth markers shall be in Arabic numerals of contrasting color to the background.



5. Clarify Health Code References For Zero Depth Entry Pools.



MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE CHAPTER VI

BATHING PLACES - PUBLIC AND SEMIPUBLIC SWIMMING POOLS

SECTION 14

Zero Depth Entry Pools

In addition to complying with the Regulations in Sections 1, 2, 3, 4, ~~and 5~~, [and either 6 \(public pools\) or 7 \(semi-public pools\)](#) of this Chapter, Zero Depth Entry Pools shall comply with the following Regulations:

REGULATION 1. Circulation system

- a. A zero depth entry pool shall have a turnover rate for the area of the pool up to a depth of two (2) feet of at least once every hour.
- b. A zero depth entry pool shall be equipped with a trench drain running the entire length of the entry. It shall be covered with a removable grate to facilitate cleaning. The trench drain shall be located so that the water surface of the pool falls no higher than the middle of the grate. The grate shall be designed to eliminate the possibility of injury to bathers.
- c. There shall be a minimum of two (2) floor inlets, plumbed not more than 15 feet apart and no further than ten (10) feet from the zero depth entry.

REGULATION 2. Floor

- a. At the entry, the deck/floor must slope toward the pool. The slope of the deck may not exceed one (1) foot in 12 feet.
- b. All floor materials must be non-slip to a minimum depth of two (2) feet.

REGULATION 3. Handrails

Handrails shall be provided at the ends of the zero depth entry.



**Thank you for your participation.
We welcome your questions
and comments.**

<http://www.maricopa.gov/regulations/>

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