



Briefing Notification to County Manager

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

Supervisor Districts: All Districts

Overview:

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 Chapter 1, 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. Expedited fees will be allowed for all fee types, including commercial searches. The reorganization will ease customer ability to identify applicable fees in the code.
- A revision to Chapter 1, is necessary to remove the liquor license. The Department no longer has liquor licenses. Therefore, to prevent customer confusion, we will remove all references to liquor licenses.
- Notice Definition – Revise Chapter 1, to provide consistency and clarity and eliminate confusion regarding the definition and use of "Notice." Notice currently is used both as a defined and a general term.

Chapter 8, Food, Food Products, Food Handling Establishments

- Permit Classification Definitions – A revision to Chapter 8, Section 1, Regulation 1 (25) is necessary 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 – Revisions to Chapter 8, 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 – Revisions to definitions in Chapter 8, 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 Chapter 8, 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 – A revision to Chapter 10, is necessary 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.

Next Steps:

Public Stakeholder Workshop – Tentative, March 5, 2013

Board of Health Public Meeting – April 22, 2013

Amendment will follow Enhanced Regulatory Outreach policy and workflow process.