



Report to the Board of Supervisors COVER

Prepared by the Maricopa County Environmental Services Department



Environmental Services
Department

Meeting Date: May 21, 2014

Summary: Report to the Board of Supervisors (BOS) for the following Enhanced Regulatory Outreach Program (EROP) case is attached:

Case #/Title: ES-2013-007/Food Peddler Permit - Revises the Maricopa County Environmental Health Code (MCEHC) to add a six month food peddler permit (and fee) to provide customers the flexibility to either obtain a six month or the current one year permit commensurate with the actual time period during which they conduct business. The six month food peddler permit fee is half the current one year fee.



Report to the Board of Supervisors

Prepared by the Maricopa County Environmental Services Department



Environmental Services
Department

Board of Health (BOH)

Meeting Date: January 27, 2014

**Board of Supervisors
(BOS) Hearing Date:**

May 21, 2014

Case #/Title: ES-2013-007/Food Peddler Permit

Supervisor Districts: All Districts

Applicant: Maricopa County Environmental Services Department
(Department)

Request: Revisions to Maricopa County Environmental Health Code (MCEHC) Chapter VIII – Change the food peddler permit duration from one year to six months to provide customers with the flexibility to obtain a permit commensurate with the actual time period during which they conduct business. Many food peddlers operate on a seasonal basis only, and therefore do not need a one year permit. Creating a six month food peddler permit will reduce customer cost, increase customer satisfaction, and better align with their business model. The six month food peddler permit fee will be half of the current listed one year fee; therefore, the prorated fee remains the same.

Support/Opposition: No opposition was expressed. Stakeholder meetings were held on August 6, 2013 and November 18, 2013. No comments were received through the Enhanced Regulatory Outreach Program (EROP) website.

**Department
Recommendation:** **Approve**

**BOH
Recommendation:** **Approve** per Department recommended language

Executive Summary: Revise MCEHC Chapter VIII to change the food peddler permit duration from one year to six months to provide customers with the flexibility to obtain a permit commensurate with the actual time period during which they conduct business.

Many food peddlers operate on a seasonal basis only, and therefore do not need a one year permit. Creating a six month

food peddler permit will reduce customer cost, increase customer satisfaction, and better align with their business model. The six month food peddler permit fee will be half of the current listed one year fee; therefore, the prorated fee remains the same.

This proposed regulatory change is following the EROP policy and workflow process.

In accordance with the Maricopa County Resolution, "Moratorium on Increased Regulatory Burdens", the County Manager authorized the Department to proceed with this case in June 2013. The County Manager also briefed the BOS in June 2013.

An initial stakeholder meeting was conducted on August 6, 2013.

Then on October 28, 2013, the Department presented a Staff Report for this case to the BOH at which time the BOH voted in support of the Department initiating this case.

The Department conducted a follow-up Stakeholder Meeting on November 18, 2013. Then on January 27, 2014, the Department presented a Staff Report for this case to the BOH at which time the BOH recommended that the BOS adopt the proposed MCEHC revision.

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

Attachments: Report to BOH (January 27, 2014) – (10 Pages)



Report to the Board of Health
To Make Recommendations to the Board of Supervisors
Prepared by the Maricopa County Environmental Services Department



Environmental Services
Department

Case #/Title: ES-2013-007/Food Peddler Permit

Meeting Date: January 27, 2014

Supervisor Districts: All Districts

Applicant: Maricopa County Environmental Services Department
(Department)

Request: Revisions to Maricopa County Environmental Health Code (MCEHC) Chapter VIII – Add a Food Peddler permit duration of six months to provide customers with the flexibility to either obtain a six month or the current one year permit commensurate with the actual time period during which they conduct business. The six month Food Peddler permit fee will be half of the current one year fee.

Support/Opposition: No comments in support or in opposition of this MCEHC proposal have been received to date.

Discussion: Revise MCEHC Chapter VIII to add the Food Peddler permit duration of six months in addition to the current one year permit to provide customers flexibility to obtain a permit commensurate with the actual time period during which they conduct business.

Many food peddlers only operate on a seasonal basis, and therefore do not need a one year permit. Creating a six month Food Peddler permit in addition to the existing one year Food Peddler permit will provide an additional option to reduce customer cost. The six month Food Peddler permit fee will be half of the current listed one year fee.

Proposed revisions to the MCEHC Chapter VIII:

This proposed regulatory change is following the Enhanced Regulatory Outreach policy and workflow process.

In accordance with the Maricopa County Resolution, "Moratorium on Increased Regulatory Burdens", the County Manager authorized the Department to proceed with this case

in June 2013. The County Manager also briefed the Board of Supervisors (BOS) in June 2013.

After discussion with the BOS, the proposal was amended to maintain the one year fee and offer a second option of a six month fee.

Stakeholder meetings were conducted on August 6, 2013 and on November 18, 2013. However, no stakeholders attended either session.

Department

Recommendation:

Staff recommends the Board of Health **approve** the proposed revision to the MCEHC.

Presented by:

John Kolman, R.S., MBA, Director

Attachments:

Presentation – Stakeholder Meeting (11/18/13) – (2 pages)
No Meeting Minutes - No stakeholders attended
Report to BOH (10/28/13)
County Manager Case Approval (1 Page)
Proposed MCEHC Revision Language (1 Page)
Presentation –Stakeholder Meeting (8/6/13) – (2 Pages)
No Meeting Minutes - No stakeholders attended




Initial Stakeholder Meeting

Proposed Revisions
Maricopa County Environmental Health Code

ES-2013-007/Food Peddler Permit

Maricopa County Environmental Services Department
 August 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.



Building Relationships Maricopa County

**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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**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
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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:

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Chapter 8, Section 3, Regulation 2

REGULATION 2. Compliance

a. No Change

b. Mobile food unit, pushcart and food peddler permit holders that desire to perform operations not allowed under their permit, while operating in conjunction with an event, shall obtain a temporary food establishment, seasonal food establishment, or special event food establishment permit.

UNLIKE MOBILE FOOD UNITS AND PUSHCARTS, WHICH ARE OFFERED ONLY AS A ONE (1) YEAR PERMIT, PEDDLER PERMITS ARE ISSUED FOR EITHER SIX (6) MONTHS OR ONE (1) YEAR. THE SIX (6) MONTH PEDDLER PERMIT IS HALF OF THE ONE (1) YEAR PEDDLER PERMIT FEE LISTED IN THE CHAPTER I FEE SCHEDULE OF THIS CODE.



Chapter 8, Section 3, Regulation 5g

Mobile food establishments shall provide information about daily operations to the Department. Information such as location, address and business name, time in and time out of each stop shall be provided in a format prescribed by the Department. This information shall only be made available pursuant to the Public Records Act, A.R.S. § 39-121 et seq. and Maricopa County policy.

This existing regulation will be required for all 12 month Food Peddler permits, but will be waived for 6 month permits.



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

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

Caroline Oppleman, M.S.P.H., R.S.
Robert Stratman, M.S., R.S., CPM
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-2013-007/Food Peddler Permit

Meeting Date: October 28, 2013

Supervisor Districts: All Districts

Applicant: Department

Request: Revisions to Maricopa County Environmental Health Code (MCEHC) Chapter VIII – Add a food peddler permit duration of six months to provide customers with the flexibility to either obtain a six month or the current one year permit commensurate with the actual time period during which they conduct business. The six month food peddler permit fee will be half of the current one year fee.

Support/Opposition: No comments in support or in opposition of this MCEHC proposal have been received to date.

Department Recommendation: **Initiate**

Discussion: Revise MCEHC Chapter VIII to add the food peddler permit duration of six months in addition to the current one year permit to provide customers flexibility to obtain a permit commensurate with the actual time period during which they conduct business.

Many food peddlers only operate on a seasonal basis, and therefore do not need a one year permit. Creating a six month food peddler permit in addition to the existing one year food peddler permit will provide an additional option to reduce customer cost. The six month food peddler permit fee will be half of the current listed one year fee.

Proposed revisions to the MCEHC Chapter VIII:

This proposed regulatory change is following the Enhanced Regulatory Outreach policy and workflow process.

In accordance with the Maricopa County Resolution, "Moratorium on Increased Regulatory Burdens", the County Manager authorized the Department to proceed with this case

in June 2013. The County Manager also briefed the Board of Supervisors (BOS) in June 2013.

After discussion with the BOS, the proposal was amended to maintain the one year fee and offer a second option of a six month fee.

An initial stakeholder meeting was conducted on August 6, 2013.

Department

Recommendation:

Staff recommends the Board of Health approve **initiation** of the proposed revision to the MCEHC.

Presented by:

John Kolman, R.S., MBA, Director

Attachments:

County Manager Case Approval (1 Page)
Proposed Code Revision Language (1Page)
Presentation – Stakeholder Meeting (8/6/13) – (2 Pages)
No Stakeholder Meeting Minutes - No stakeholders attended the (8/6/13) meeting.



Maricopa County
Environmental Services Department

John Kolman R.S., MBA
Director
1001 N. Central Avenue #401
Phoenix, Arizona 85004
Phone: (602) 506-6623
Fax: (602) 506-5141
TDD 602 372-0622

Date: June 17, 2013

To: Tom Manos

Via: Joy Rich, AICP, Deputy County Manager

From: John Kolman, R.S., MBA, Director

Re: County Manager Approval – Proposed Changes to the Maricopa County
Environmental Health Code (MCEHC)

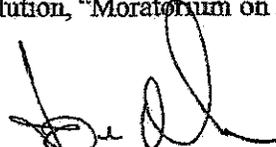
In accordance with the newly passed Maricopa County Resolution, "Moratorium on Increased Regulatory Burdens," the Environmental Services Department (Department) is seeking your approval to initiate changes to the MCEHC via the Enhanced Regulatory Outreach Process (EROP).

The requested changes to the MCEHC qualify for County Manager Approval under the moratorium, as these changes are necessary to provide adequate service to our customers. We would refer to this new EROP case as ES-2013-007/Food Peddler Permit.

These requested changes to MCEHC Chapters I and VIII would change the food peddler permit duration from one year to six months to provide customers with the flexibility to obtain a permit commensurate with the actual time period during which they conduct business. The six month food peddler permit fee would be half of the current listed one year fee, therefore, the prorated fee would remain the same.

Many food peddlers operate on a seasonal basis only, and therefore do not need a one year permit. Creating a six month food peddler permit would reduce customer cost, increase customer satisfaction, and better align with their business model.

It is staff's opinion that this code revision and fee change are "necessary to provide adequate, timely, or required service." We are requesting your approval to move these proposed code revisions forward in accordance with the Maricopa County Resolution, "Moratorium on Increased Regulatory Burdens."


Approved by Tom Manos, County Manager

MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

CHAPTER VIII

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

SECTION 3

MOBILE FOOD ESTABLISHMENTS

REGULATION 1. Definitions No Change

REGULATION 2. Compliance

- a. No Change
- b. Mobile food unit, pushcart and food peddler permit holders that desire to perform operations not allowed under their permit, while operating in conjunction with an event, shall obtain a temporary food establishment, seasonal food establishment, or special event food establishment permit. **UNLIKE MOBILE FOOD UNITS AND PUSHCARTS, WHICH ARE OFFERED ONLY AS A ONE (1) YEAR PERMIT, PEDDLER PERMITS ARE ISSUED FOR EITHER SIX (6) MONTHS OR ONE (1) YEAR. THE SIX (6) MONTH PEDDLER PERMIT IS HALF OF THE ONE (1) YEAR PEDDLER PERMIT FEE LISTED IN THE CHAPTER I FEE SCHEDULE OF THIS CODE.**
- c. to f. No Change

REGULATION 3. to REGULATION 12. No Change




Follow-up Stakeholder Meeting

**Proposed Revisions
Maricopa County Environmental Health Code**

ES-2013-007/Food Peddler Permit

**Maricopa County Environmental Services Department
November 18, 2013**




Maricopa County Environmental Services Department

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to ensure a safe and healthy environment**

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