



Maricopa County

Environmental Services Department

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SUBSTANTIVE POLICY STATEMENT SPS-QC-2019-001

A substantive policy statement (SPS) is advisory only. In accordance with A.R.S. §11-1601, SPS's do not include internal procedural documents that only affect internal procedures of the Maricopa County Environmental Services Department (Department) and do not impose additional requirements or penalties on regulated parties or confidential information.

1. SPS Subject:

The purpose of this SPS is to clarify the Department's role processing permit fee waivers.

2. Statutory Overview:

Maricopa County Environmental Health Code (MCEHC)

3. SPS:

Chapter 1, Regulation 5(a) of the MCEHC states:

No permit shall be issued, and no permit is valid, until the permit fee is received by the Department, except that the operator of a charitable nonprofit establishment (which operates to provide relief predominantly for the poor, distressed or under-privileged) may apply to the Board of Health for a waiver of permit fee. A waiver of fee may be granted only to the operator of an establishment, which maintains a current 501(c)(3) tax exempt designation from the Department of the Treasury, Internal Revenue Service, who demonstrates to the Board of Health that payment of said fee will cause financial hardship. Board of Health granted fee waivers expire pursuant to the required permit listing in section d. of this regulation. Application for a permit fee waiver shall be made using forms provided by the Department.

All applications for fee waivers must be submitted to the Department before the Board of Health (BOH) can consider granting a fee waiver. Staff from the Department will review all applications prior to the next scheduled BOH quarterly meeting. The Board of Health is scheduled to meet on the 4th Monday in January, April, July and October. Fee waiver applications submitted to the Department less than 3 weeks before the Board of Health meeting will be held over until the next scheduled meeting. Applications will be reviewed for completeness and judged to meet the criteria listed in the MCEHC above. A predominant amount (75% or greater) of the operations of or proceeds generated shall provide relief for the poor, distressed or under-privileged in order to meet

the criteria. The BOH will be notified in a staff report of any applications that do not meet any or all of the requirements. The staff report shall list the reasons why the applicant failed to meet the criteria for fee waiver. The Department will notify all fee waiver applicants of the status of their application. Time permitting, they will be granted an opportunity to provide additional information and they will be given notice of BOH hearing dates. Final determination for granting fee waivers rests solely with the BOH.

4. SPS Effective Date

01/27/2021

5. SPS New Document/Revision Statement:

SPS-QC-2019-001 is a revised SPS.

6. Contact Us:

For questions or comments regarding this SPS or to obtain a copy of this document, please contact the Department Records Custodian.