



# Enhanced Regulatory Outreach Program NOTICE OF PUBLIC MEETING

Date/Time: Monday, October 26, 2020 at 3:00 p.m.

Location: Maricopa County Board of Health, **Virtual Meeting**  
~~Administration Building~~  
~~Board of Supervisors' Conference Room, 10th Floor~~  
~~301 W. Jefferson St., Phoenix, AZ 85003~~

Due to COVID-19 and social distancing guidelines, the Board of Health meeting scheduled to take place Monday, October 26, 2020, will be held virtually. To join the meeting by phone or computer **register ahead of time** via this address, <https://www.maricopa.gov/354/Board-of-Health>. You will receive further instructions by email after you register.

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The Maricopa County Board of Health will host a Public Meeting to discuss proposed revisions to the Maricopa County Health Code Chapter I, Regulation 5. Proposed revisions are attached to this notice.

**Case #/Title:** ES-2020-001: MCEHC Fee Waivers - Chapter I, Regulation 5

**Overview:** Proposed revisions include addressing a reference error, replacing the word "solely" with "predominately," and defining the word "predominately" as "pertains only to fees as used in this Chapter I, Regulation 5 a. of the Environmental Health Code and means 75% or greater of the operations of or proceeds generated by a 501(c)(3) charitable non-profit establishment that provides relief for the poor, distressed or under-privileged." In addition, applications for waivers of Temporary Food Establishment fees will be processed on a first come, first served basis in accordance with MCEHC Chapter I, Regulation 5 a., and the Department shall only present a maximum of twenty-five (25) of such applications per event to the Board of Health.

## Stay Informed and Involved

For more information and to follow Maricopa County's regulatory adoption process step by step, please visit: <https://www.maricopa.gov/3563/Active-Regulatory-Process>.

Also, you may submit comments at: <https://www.maricopa.gov/FormCenter/Regulatory-Outreach-17/Citizen-Comments-94>.



Thank you for your participation.



# MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

## CHAPTER I GENERAL PROVISIONS

### REGULATION 1. Definitions

The following definitions shall apply throughout this Environmental Health Code, unless a different meaning is clearly indicated by the context or is stated in another chapter.

a. to o. No Change

p. **“PREDOMINATELY” PERTAINS ONLY TO FEES AS USED IN THIS CHAPTER I, REGULATION 5 a. OF THE ENVIRONMENTAL HEALTH CODE AND MEANS 75% OR GREATER OF THE OPERATIONS OF OR PROCEEDS GENERATED BY A 501(C)(3) CHARITABLE NON-PROFIT ESTABLISHMENT THAT PROVIDES RELIEF FOR THE POOR, DISTRESSED OR UNDER-PRIVILEGED.**

~~p~~ q. “Public Water System Site” means the location where an actual or planned potable water system structure or set of structures are or will be operated and maintained by a public water system. Typical structures at a drinking water system site may include, but are not limited to, wells, treatment facilities, chlorinators, storage tanks, and pressure regulating facilities. Distribution system appurtenances, such as valves, fire hydrants, sampling ports, meters, service lines, and piping, may be a part of a drinking water system site, but do not in themselves constitute a drinking water system site.

~~q~~ r. “Regulation” means the regulations in this Environmental Health Code and the regulations of the Arizona Departments of Health Services and Environmental Quality.

**REGULATION 2. To REGULATION 4.** No Change

### REGULATION 5. Fees

- a. 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 ~~solely~~ **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 ~~e~~. **D.** of this

regulation. Application for a permit fee waiver shall be made using forms provided by the Department.

(1) **APPLICATIONS FOR WAIVERS OF TEMPORARY FOOD ESTABLISHMENT FEES WILL BE PROCESSED ON A FIRST COME, FIRST SERVED BASIS IN ACCORDANCE WITH REGULATION 5 a. OF THIS CHAPTER I OF THE ENVIRONMENTAL HEALTH CODE. THE DEPARTMENT SHALL ONLY PRESENT A MAXIMUM OF TWENTY-FIVE (25) OF SUCH APPLICATIONS PER EVENT TO THE BOARD OF HEALTH.**

(2)(1) A waiver of fees associated with the administering and issuance of a food employee certificate in compliance with A.R.S. § 41-1080, may be granted 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 and must demonstrate to the Board of Health that payment of said fees will cause financial hardship.

(3)(2) ~~Or~~ To a current student, enrolled in a K-12 culinary arts school program or other similar curriculum based programs requiring a food employee certificate from their students to be in compliance with this code. The sponsoring school district must demonstrate to the Board of Health that payment of said fee will cause financial hardship.

b. to d. No Change

**REGULATION 6. to REGULATION 14.** No Change