

Chapter 432

(House Bill 555)

AN ACT concerning

Anne Arundel County – Semipermanent Food Service Facilities – Wastewater Disposal

FOR the purpose of altering the scope of certain provisions of law that establish certain requirements for the disposal of wastewater by an operator of a semipermanent food service facility that operates in Anne Arundel County; and generally relating to semipermanent food service facilities operating in Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–301(a) and (j–2)
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–312.2
Annotated Code of Maryland
(2009 Replacement Volume and 2014 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health – General

21–301.

(a) In this subtitle the following words have the meanings indicated.

(j–2) (1) “Semipermanent food service facility” means a food service facility that:

(i) Is built at a location other than where it operates;

(ii) Is transported as a complete unit that does not require a building permit to install on the location at which it operates;

(iii) Has no indoor seating for patrons; and

(iv) When serving cooked food, serves only foods cooked for immediate service.

(2) “Semipermanent food service facility” does not include a food service facility that is a mechanically, electrically, manually, or otherwise propelled vehicle operating on land or water that moves as part of its routine operation to:

- (i) Change location for sales;
- (ii) Obtain food and other supplies;
- (iii) Fill potable water supply holding tanks;
- (iv) Empty wastewater holding tanks; or
- (v) Provide for the cleaning and sanitation of equipment and utensils.

21–312.2.

(a) This section applies to a semipermanent food service facility that:

- (1) Operates in Anne Arundel County; **AND**
- (2) Was licensed under § 21–305 of this subtitle on or before December 1, 2010]; and
- (3) Was not sold or transferred to another operator after December 1, 2010].

(b) An operator of a semipermanent food service facility shall:

- (1) Pump out the onboard wastewater holding tank as frequently as required by Anne Arundel County to avoid creating a public health nuisance;
- (2) Remove wastewater by:
 - (i) Hiring a licensed liquid waste hauler to dispose of the wastewater; or
 - (ii) Disposing of the wastewater at a wastewater disposal facility approved by Anne Arundel County;
- (3) Use a food grade hose and an adequate backflow prevention device to maintain a potable water supply; and
- (4) Demonstrate compliance with items (1) and (2) of this subsection by quarterly submitting a record of receipts to the issuer of the license.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.

Approved by the Governor, May 12, 2015.