

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE
Revised

House Bill 99

(Delegate Kipke)

Health and Government Operations

Finance

Anne Arundel County - Semipermanent Food Service Facilities - Requirements

This bill requires the operator of a semipermanent food service facility in Anne Arundel County to (1) pump out the onboard wastewater holding tank as frequently as required by the county to avoid creating a public health nuisance; (2) remove wastewater by either disposing of it at a county-approved wastewater disposal facility or hiring a licensed liquid waste hauler to dispose of it; (3) use a food grade hose and an adequate backflow prevention device to maintain a potable water supply; and (4) demonstrate compliance with the bill's wastewater removal requirements by quarterly submitting a record of receipts to the issuer of the license.

Fiscal Summary

State Effect: None. The bill only affects local government operations.

Local Effect: The Anne Arundel County Department of Health already inspects semipermanent food service facilities in the county and can likely use existing resources to enforce the bill's requirements, particularly given that the bill is likely to apply to relatively few facilities.

Small Business Effect: Potential minimal increase in expenditures for semipermanent food service facilities that must comply with the bill's requirements.

Analysis

Bill Summary: A "semipermanent food facility" is a food service facility that is built at a location other than where it operates; is transported as a complete unit that does not require a building permit to install on the location at which it operates; has no indoor seating for patrons; and, when serving cooked food, serves only foods cooked for

immediate service. A “semipermanent food facility” does not include a food service facility that is a propelled vehicle that moves as part of its routine operation to change location for sales; obtain food and supplies; fill potable water supply holding tanks; empty wastewater holding tanks; or clean and sanitize equipment and utensils.

The bill’s requirements apply only to a semipermanent food service facility that (1) operates in Anne Arundel County; (2) was licensed on or before December 1, 2010; and (3) was not sold or transferred to another operator after December 1, 2010.

Current Law: Regulations require the person-in-charge (*i.e.*, the licensee or another person responsible for operations) of a semipermanent food facility to ensure that:

- a connection to potable water is maintained as a critical item and potable water meets specified quality standards and is obtained from a properly constructed water supply system;
- hand sinks are provided and properly maintained;
- a connection to a sewage disposal system is provided and maintained as a critical item that meets applicable State and local laws, regulations, and ordinances; and
- compliance is maintained with applicable standards regarding food supplies and sources, food protection, food preparation and labeling, personnel health and sanitation, food equipment and utensils, garbage disposal, vermin control, structural and/or building requirements, licenses, and inspections.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Anne Arundel County, Maryland Department of the Environment, Department of Health and Mental Hygiene, Maryland Association of County Health Officers, Department of Legislative Services

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