

HOUSE BILL 555

J1

5lr2257

By: **Delegate Kipke**

Introduced and read first time: February 11, 2015

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Anne Arundel County – Semipermanent Food Service Facilities – Wastewater**
3 **Disposal**

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

8 BY repealing and reenacting, without amendments,
9 Article – Health – General
10 Section 21–301(a) and (j–2)
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2014 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Health – General
15 Section 21–312.2
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2014 Supplement)

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

20 **Article – Health – General**

21 21–301.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (i) Is built at a location other than where it operates;
- 2 (ii) Is transported as a complete unit that does not require a building
3 permit to install on the location at which it operates;
- 4 (iii) Has no indoor seating for patrons; and
- 5 (iv) When serving cooked food, serves only foods cooked for
6 immediate service.

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

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

16 21-312.2.

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

- 18 (1) Operates in Anne Arundel County; **AND**
- 19 (2) Was licensed under § 21-305 of this subtitle on or before December 1,
20 2010]; and
- 21 (3) Was not sold or transferred to another operator after December 1,
22 2010].

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

- 24 (1) Pump out the onboard wastewater holding tank as frequently as
25 required by Anne Arundel County to avoid creating a public health nuisance;
- 26 (2) Remove wastewater by:
- 27 (i) Hiring a licensed liquid waste hauler to dispose of the
28 wastewater; or

1 (ii) Disposing of the wastewater at a wastewater disposal facility
2 approved by Anne Arundel County;

3 (3) Use a food grade hose and an adequate backflow prevention device to
4 maintain a potable water supply; and

5 (4) Demonstrate compliance with items (1) and (2) of this subsection by
6 quarterly submitting a record of receipts to the issuer of the license.

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