

YAVAPAI COUNTY

SPECIAL EVENT LICENSE APPLICATION PACKAGE FOR FOOD OR BEVERAGE VENDORS

Fees are not refundable or transferable to another event

PERMIT/APPROVAL APPLICATION PROCESS PURSUANT TO ARIZONA REVISED STATUTES §§ 11-1602 AND 11-1606

- The steps to obtain a Food or Non-Food operating permit/license are as follows: 1) Submit this completed application with permit/license fee; 2) submit completed Food Safety Plan, if applicable; 3) approved proof of eligibility.
- The applicable licensing time frames are referenced in Arizona Revised Statutes (“A.R.S.”) §§ 11-1605, 41-1072 and Arizona Administrative Code (“A.A.C.”) Title 9, Chapter 8, Article 1, Table 1. The overall time frame for review is 90 days which allows for up to 30 days for administrative review and up to 60 days for the substantive review.
- If you have questions about the application process or need assistance, please contact the Yavapai County Health Department (the “Department”) at 928-771-3149 or visit the website at www.yavapaihealth.com/environmental-health.
- As provided in A.R.S. § 11-1609, you may request clarification from the Department about its interpretation or application of any applicable statute, ordinance, regulation, delegation agreement or authorized substantive policy statement.

INSTRUCTIONS

**** NOTE:** All vendors serving food or beverages **MUST** complete this application, whether or not you are paying a fee.

Please call (928)771-3149 Prescott office, or (928) 639-8138 Cottonwood office, or (928) 583-1015 Prescott Valley office if you have any questions or need assistance with any part of this application.

Submit the following at least **three weeks** prior to the event. **Payments WILL NOT be accepted at the event, nor will licenses be issued. Vendors will be required to leave the event if payment/license has not been received/issued prior to the event.**

1. Completed license application including Questionnaire, and Multi-Event form if paying for more multiple events.
2. Diagram of the floor plan of interior of booth or mobile food unit.
3. Cash, Check, MO or Credit Card (2.39% transaction fee for credit cards) for one of the following licenses.
 - \$ 120.00 First Event in calendar year-January through December (Includes: 1-time Annual Administrative Fee¹ of \$75.00 and 1 Per Event Fee of \$45.00).
 - \$ 45.00 All additional events in same calendar year-January through December. (Includes: 1 Per Event Fee of \$45.00).
 - \$ 235.00 Annual SE Variance Fee (Includes: 1 First Event fee of \$120.00 plus 1 Admin Variance fee of \$115.00)

Fee Note 1: The 1-time Annual Admin Fee is for 1 specific menu, ie. Hotdogs & Hamburgers. If additional menus will be served at different events, an additional Admin Fee must be paid for each different menu. Example: Indian Tacos today, BBQ next weekend, Hotdogs on the 4th of July, etc.

4. Return the completed forms to Yavapai County Community Health Services.
5. ***There will be a \$55.00 late fee assessed for any application/fee that is not submitted 2 full working days (M-F, 8-5 only) prior to the start date of the event. i.e. Must be in Wed by 5pm for event starting on Saturday.***

**** NOTE:** Some vendors may be exempt from paying a fee. This exemption **MUST** be determined by Health Services and should be approved 3 weeks prior to the start of the event. See next page.

DEFINITIONS

SPECIAL EVENT means a temporary single event or celebration lasting not more than 14 consecutive days at the same location where food may be prepared and available to the public from an appropriately equipped food booth or mobile food unit. Examples: Rodeos, art fairs, music festivals, exhibitions, etc. *NOTE: Ongoing events such as swap meets and farmers markets are not considered special events. Call for any questions regarding that type of event.*

TEMPORARY FOOD BOOTH means a temporary food establishment at which food or beverage is provided in conjunction with a single event or celebration such as a fair, rodeo, exhibition, or similar event.

MOBILE FOOD UNIT means a self-propelled or trailer mounted establishment in which food or beverages are composed, compounded, processed, or prepared and from which the food is vended, sold, given away or dispensed.

POTABLE WATER means water that is drinkable and comes from an approved source.

HOT HOLDING means maintaining food continuously at 135° F or above. Acceptable equipment: steam table, crock-pot, hot holding cabinet.

COLD HOLDING means maintaining food continuously at 41°F or lower. Acceptable equipment: refrigerator, freezer, ice chests.

MINIMAL FOOD BOOTH AND MOBILE FOOD UNIT REQUIREMENTS

1. Overhead protection, three side walls and flooring is required for food booths. Doors for Mobile Food Units must self-close. Screening of openings may also be required. Booths selling only commercially prepackaged foods may not need to meet the booth requirements.
2. An accurate long stem thermometer, which reads from 0°F to 220°F, is required.
3. A dishwashing station consisting of three basins for a washing, rinsing, and sanitizing is required.
4. Chlorine bleach or other approved sanitizer (iodine or quaternary ammonium) must be used in the sanitizing solution for utensils & equipment AND sanitizing counters & tables. Chlorine test strips/test kits must be used for the approved sanitizer.
5. An approved hand washing station with clean running water, soap, paper towels (separate from the dishwashing station), and a container to catch and hold wastewater is required.
6. All foods, ice for drinks, and water must come from approved sources. Ice scoops require handles.
7. All garbage containers must be covered.
8. Vendor/staff need to have a current Yavapai County or other Arizona County issued Foodworker Certificate.
9. Any off-site food preparation (if applicable) must take place in a facility approved by Health Services. This requires a completed and approved Commissary Agreement form.

YAVAPAI COUNTY COMMUNITY HEALTH SERVICES

ATTENTION: NEW ONE-TIME ANNUAL SPECIAL EVENT VARIANCE FEE IS AVAILABLE!

The one-time special event variance fee allows a vendor with the same menu and the same setup to participate at unlimited events throughout Yavapai County during calendar the year. Please see the last page of this packet for the “Application for a Variance to Extend Operation of Special Event Booth” form that outlines requirements and limitations.

SPECIAL EVENTS: NOTATION FOR FOOD VENDORS OF PRE-PACKAGED FOOD ONLY.

If the food you are dispensing is completely commercially pre-packaged and you will not be doing **ANY** food preparation and foods are non-potentially hazardous, you may not need to pay the fee for a special event permit. If the only food you are preparing is popcorn without flavorings or coatings (Kettlecorn), a license fee will not be required.

However, you will still need to fill out the application and answer the questionnaire on the back of the application and return them to YCCHS so we can issue you a license.

Examples of pre-packaged foods are:

Bottled water

Canned soda

Sealed Ready-to-Eat commercially pre-packaged foods: potato chips/snacks, candy bars, etc.

Sealed Pre-packaged foods: nuts, spices, jam/jellies, dried fruit, pickles/olives, beef jerky, etc.

This information *MAY NOT* apply to your business if you are doing any food sampling. Please call us for information.

If you have any questions about the products you plan to dispense, please call us!

NOTATION FOR FOOD VENDORS PARTICIPATING IN A “TASTING” EVENT

Vendors at a special event which are only doing food tasting or are part of a judged tasting event (ie. Chili cook-off, Salsa tasting) may be exempt from special event fees. Please call for more information if you are participating in such an event.

1090 Commerce Dr.
Prescott, AZ 86305
(928) 771-3149
(928) 771-3369 FAX

3212 N. Windsong
Prescott Valley, AZ 86314
(928) 583-1015
(928) 771-3379 FAX

10 S. Sixth St.
Cottonwood, AZ 86326
(928) 639-8138
FAX (928) 639-8140

ENVIRONMENTAL HEALTH
YAVAPAI COUNTY COMMUNITY HEALTH SERVICES
Required Special Event License Application for Food or Beverage Vendors

<u>Food Booth/Mobile Food Unit-Event Fees</u> \$120.00 - First event in calendar year (Jan-Dec) Includes One-Time Annual Administrative Fee of \$75.00 plus 1 Per Event Fee of \$45.00 \$45.00 – Per Event Fee for additional events in calendar year (Jan-Dec) (Annual \$75.00 Administrative Fee must have already been paid for a previous event) \$235.00 – Annual SE Variance Fee Includes \$120.00 First Event fee plus \$115.00 Admin Variance Fee		Late Fee - \$55.00 Fee paid less than 2 full working days (M-F, 8-5pm only) prior to the start date of the event	
Company/Organization			
Contact Name			
Mail Address			
City/State/Zip		Email address	
<u>Please use Multi-Event Registration form if purchasing more than 1 event license at this time</u>			
<u>Name of Event</u>		<u>Location of Event</u>	
		Date(s) of Event	
		Hours of operation	
<u>Event Sponsor</u>		Your phone number(s)	
		Plan to set up (when)	
<i><u>Fees are not refundable or transferable to another event</u></i>		Date:	Amount Paid:
Administrative Fee: \$ 75 <input type="checkbox"/> Per Event Fee: \$ 45 <input type="checkbox"/>			
Annual SE Variance Fee: \$235.00 <input type="checkbox"/>		Receipt #	Check #:
(2.39% processing fee for credit card payments)			

Do you have questions about the requirements? Call 928-771-3149

The applicable Arizona Department of Health Services Administrative rules and the Yavapai County Health Code are available at www.yavapaihealth.com/environmental-health. A copy of the applicable chapters of the Yavapai County Health Code is available upon request.

The undersigned assumes complete responsibility for the business to be carried out on the premises for which this application for a license is being sought. The undersigned agrees that all business in said premises will be conducted in full compliance with all sanitary regulations applicable thereto and with all county, state, and local laws, rules and ordinances pertaining thereto. I further acknowledge that permit fees are non-refundable and that permits are not transferable from person-to-person or from place-to-place. Finally, I acknowledge that I am aware of the Regulatory Bill of Rights in A.R.S. § 11-1602, and A.R.S. § 41-1001.01 insofar as applicable, as set forth on the last page of this Application.

Print Name _____ Title _____

Signature _____ Date _____

The following used by YCCHS as acknowledgement of application, application approval/denial and/or comments.	
Additional information needed:	
Approval with reservations:	
Questions:	
Application approval or denial:	

**A COPY OF APPROVED APPLICATION
MUST BE AVAILABLE AT BOOTH.**

IDENTIFICATION	
YES <input type="checkbox"/>	NO <input type="checkbox"/>

MAIL APPLICATION AND PAYMENT TO : YCCHS
1090 Commerce Drive, Prescott, AZ 86305, (928) 771-3149, FAX (928) 771-3369

YAVAPAI COUNTY COMMUNITY HEALTH SERVICES

Multi-Event Registration Form

- For use when: 1. Applying and paying for more than one event at one time OR
 2. Adding a new event once the \$75.00 Admin Fee has been paid for the current year OR
 3. Notifying YCCHS of a new event being attended once an Annual SE Variance has been approved & paid.

NOTE: Fees are not refundable or transferable to another event

Booth/MFU Name _____ Date Submitted: _____

Complete Name & Address information below if you would like an approved form sent back to you.

Name: _____ email: _____

Addr: _____

City/ST: _____

<u>Name of Event</u>	<u>Location of Event</u>	Date(s) of Event
		Hour of operation
<u>Event Sponsor</u>	Your phone number(s)	Plan to set up (when)
	<input type="checkbox"/> Multiple event fee: \$45.00	Amount Paid:
	<input type="checkbox"/> Variance Event Fee: \$0	Check #:

<u>Name of Event</u>	<u>Location of Event</u>	Date(s) of Event
		Hour of operation
<u>Event Sponsor</u>	Your phone number(s)	Plan to set up (when)
	<input type="checkbox"/> Multiple event fee: \$45.00	Amount Paid:
	<input type="checkbox"/> Variance Event Fee: \$0	Check #:

<u>Name of Event</u>	<u>Location of Event</u>	Date(s) of Event
		Hour of operation
<u>Event Sponsor</u>	Your phone number(s)	Plan to set up (when)
	<input type="checkbox"/> Multiple event fee: \$45.00	Amount Paid:
	<input type="checkbox"/> Variance Event Fee: \$0	Check #:

<u>Name of Event</u>	<u>Location of Event</u>	Date(s) of Event
		Hour of operation
<u>Event Sponsor</u>	Your phone number(s)	Plan to set up (when)
	<input type="checkbox"/> Multiple event fee: \$45.00	Amount Paid:
	<input type="checkbox"/> Variance Event Fee: \$0	Check #:

Approved By : _____ Date: _____ Total Collected \$ _____

QUESTIONNAIRE

Please answer all the following questions, complete the application on the reverse side, and return to Health Services with the license fee. A simple menu – only one or two foods -- with few preparation steps (for example: basic cook and-serve) works best. Complex food preparation is inappropriate for an outdoor setting and will not be approved.

1. List all menu items including drinks. _____

2. Will **all** foods be prepared onsite at the event? Yes _____ (if yes, skip to item #3)
No _____ (if no, attach a copy of a completed and signed Commissary

Agreement with the licensed food kitchen where food preparation will take place, including the dates and times of food preparation)

Complete the following: How will prepared food(s) be kept hot or cold before and during transportation to the Event?

3. Describe equipment to be used at the event:

Cold holding _____ for menu items _____

Hot holding _____ for menu items _____

Cooking _____ for menu items _____

4. Who will be responsible for checking food temperatures and supervising food handling practices?

5. How will potable drinking water be obtained or delivered during the event? _____

6. How will wastewater be disposed of during the event?

Sewer Holding Tank Other _____

7. Do workers have current Yavapai County Foodworker certificates? Yes No
If no, call for information on scheduled classes or alternatives.

THIS MUST BE RETURNED WITH YOUR COMPLETED APPLICATION FORM.

PLEASE ANSWER ALL QUESTIONS BELOW AND DRAW YOUR BOOTH OR MOBILE UNIT FLOOR PLAN TO SCALE IN THE SPACE BLANK PROVIDED:

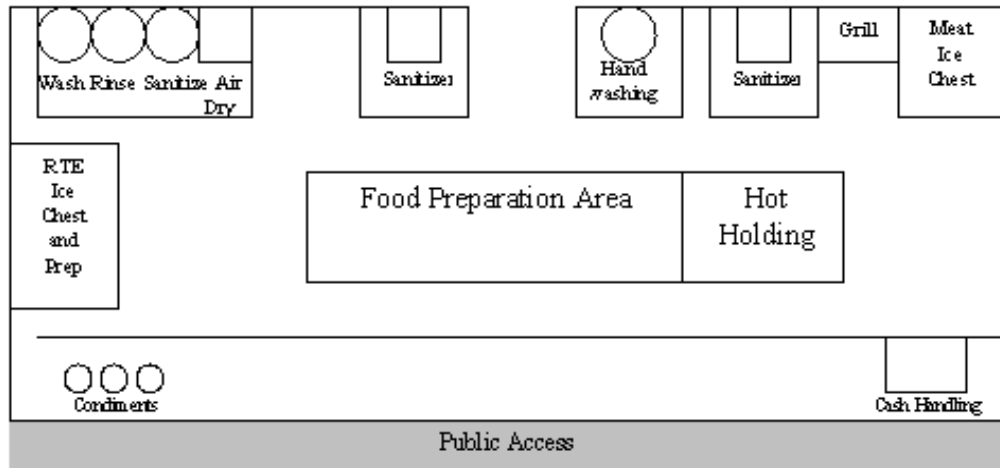
Do you have 3 sides, floor and overhead canopy to prevent food contamination? Circle one: YES NO

Do you have a Hand Wash sink? Circle one: YES NO Please make sure it is included on your diagram.

Will you be using gloves? Circle one: YES NO

Will you bring extra utensils so you don't have to wash dishes in the booth? Circle one: YES NO

Sample floor plan:





Yavapai County Community Health Services
 Our Mission: "Yavapai County Community Health Services will provide leadership, information, and services that contribute to improving the health and well-being of Yavapai County residents."

**ENVIRONMENTAL HEALTH
 COMMISSARY AGREEMENT
 MOBILE FOOD UNITS/SPECIAL EVENT VENDORS**

By signing his or her name, each party enters into a binding legal contract that cannot be changed except by renegotiation and execution of a new agreement. The signed agreement will remain binding for the term of the mobile/offsite owner's current Health Services license but under no circumstance for ***longer than one year***. Change in ownership of the mobile/offsite business or in ownership of the commissary or violation of the terms of the agreement will void this contract and result in cessation of the mobile/offsite business. Resumption can take place only after a new agreement is negotiated and executed.

MOBILE/OFFSITE BUSINESS OWNER'S DECLARATION: I agree to utilize the commissary facility listed below for the following:

- | | | | | | | | |
|--------------------------|--------------------------|--------------------------|--|--------------------------|--------------------------|--------------------------|----------------------------------|
| Y | N | N/A | | Y | N | N/A | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Cold storage requirements met | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Dry storage requirements met |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Free-standing food prep sink | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Minimum 4-foot food prep surface |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Outside fresh water fill | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Outside waste water dump |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Storage areas labeled with business name of MFU | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Standard size 3 compartment sink, with air drying area | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Cooking equipment applicable to MFU's needs | | | | |

Date	Business Name	Address
Print Name	Phone Number	Permit Number
Signature		

COMMISSARY OWNER'S DECLARATION: I agree that my establishment has facilities capable of supporting the above mobile/offsite business requirement and I will make my facilities available for the support of the mobile/offsite business.

Date	Business Name	Address
Print Name	Phone Number	Permit Number
Signature		

HEALTH SERVICES ACCEPTANCE:

Signature	Title	Date

Legal Notices - Last Page begins here.

A.R.S. § 11-1604: PROHIBITED ACTS BY COUNTY AND EMPLOYEES; ENFORCEMENT; NOTICE

A. A COUNTY SHALL NOT BASE A LICENSING DECISION IN WHOLE OR IN PART ON A LICENSING REQUIREMENT OR CONDITION THAT IS NOT SPECIFICALLY AUTHORIZED BY STATUTE, RULE, ORDINANCE OR DELEGATION AGREEMENT. A GENERAL GRANT OF AUTHORITY DOES NOT CONSTITUTE A BASIS FOR IMPOSING A LICENSING REQUIREMENT OR CONDITION UNLESS THE AUTHORITY SPECIFICALLY AUTHORIZES THE REQUIREMENT OR CONDITION.

B. UNLESS SPECIFICALLY AUTHORIZED, A COUNTY SHALL AVOID DUPLICATION OF OTHER LAWS THAT DO NOT ENHANCE REGULATORY CLARITY AND SHALL AVOID DUAL PERMITTING TO THE MAXIMUM EXTENT PRACTICABLE.

C. THIS SECTION DOES NOT PROHIBIT COUNTY FLEXIBILITY TO ISSUE LICENSES OR ADOPT ORDINANCES OR CODES.

D. A COUNTY SHALL NOT REQUEST OR INITIATE DISCUSSIONS WITH A PERSON ABOUT WAIVING THAT PERSON'S RIGHTS.

E. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST A COUNTY. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST A COUNTY FOR A VIOLATION OF THIS SECTION.

F. A COUNTY EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE COUNTY'S ADOPTED PERSONNEL POLICY.

G. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.

H. A COUNTY SHALL PROMINENTLY PRINT THE PROVISIONS OF SUBSECTIONS A, B, C, D, E, F AND G OF THIS SECTION ON ALL LICENSE APPLICATIONS.

I. THE LICENSING APPLICATION MAY BE IN EITHER PRINT OR ELECTRONIC FORMAT.

A.R.S. § 11-1602: REGULATORY BILL OF RIGHTS

TO ENSURE FAIR AND OPEN REGULATION BY COUNTIES, A PERSON:

1. IS ELIGIBLE FOR REIMBURSEMENT OF FEES AND OTHER EXPENSES IF THE PERSON PREVAILS BY ADJUDICATION ON THE MERITS AGAINST A COUNTY IN A COURT PROCEEDING REGARDING A COUNTY DECISION AS PROVIDED IN SECTION 12-348.

2. IS ENTITLED TO RECEIVE INFORMATION AND NOTICE REGARDING INSPECTIONS AS PROVIDED IN SECTION 11-1603.

3. IS ENTITLED TO HAVE A COUNTY NOT BASE A LICENSING DECISION IN WHOLE OR IN PART ON LICENSING CONDITIONS OR REQUIREMENTS THAT ARE NOT SPECIFICALLY AUTHORIZED AS PROVIDED IN SECTION 11-1604.

4. MAY HAVE A COUNTY APPROVE OR DENY THE PERSON'S LICENSE APPLICATION WITHIN A PREDETERMINED PERIOD OF TIME AS PROVIDED IN SECTION 11-1605.

5. IS ENTITLED TO RECEIVE WRITTEN OR ELECTRONIC NOTICE FROM A COUNTY ON DENIAL OF A LICENSE APPLICATION THAT:

(A) JUSTIFIES THE DENIAL WITH REFERENCES TO THE STATUTE, ORDINANCE, REGULATION, DELEGATION AGREEMENT OR AUTHORIZED SUBSTANTIVE POLICY STATEMENTS ON WHICH THE DENIAL IS BASED AS PROVIDED IN SECTION 11-1605.

(B) EXPLAINS THE APPLICANT'S RIGHT TO APPEAL THE DENIAL AS PROVIDED IN SECTION 11-1605.

6. IS ENTITLED TO RECEIVE INFORMATION REGARDING THE LICENSE APPLICATION PROCESS AT THE TIME THE PERSON OBTAINS AN APPLICATION FOR A LICENSE AS PROVIDED IN SECTION 11-1606.

7. MAY INSPECT ALL ORDINANCES, REGULATIONS, RULES AND SUBSTANTIVE POLICY STATEMENTS OF A COUNTY, INCLUDING A DIRECTORY OF DOCUMENTS, AT THE OFFICE OF THE COUNTY OR ON THE COUNTY'S WEBSITE AS PROVIDED IN SECTION 11-1607.

8. UNLESS SPECIFICALLY AUTHORIZED, MAY EXPECT COUNTIES TO AVOID DUPLICATION OF OTHER LAWS THAT DO NOT ENHANCE REGULATORY CLARITY AND TO AVOID DUAL PERMITTING TO THE MAXIMUM EXTENT PRACTICABLE AS PROVIDED IN SECTION 11-1604.

9. MAY FILE A COMPLAINT WITH THE BOARD OF SUPERVISORS CONCERNING AN ORDINANCE, REGULATION, RULE OR SUBSTANTIVE POLICY STATEMENT THAT FAILS TO COMPLY WITH THIS SECTION.

10. AS PROVIDED IN SECTION 11-1604, IS ENTITLED TO HAVE A COUNTY NOT REQUEST OR INITIATE DISCUSSIONS ABOUT WAIVING ANY OF THE RIGHTS PRESCRIBED IN THIS SECTION.

11. MAY PARTICIPATE IN THE RULE DEVELOPMENT PROCESS AS PROVIDED IN SECTION 11-251.18, INCLUDING PROVIDING WRITTEN OR VERBAL COMMENTS ON PROPOSED RULES TO A COUNTY DEPARTMENT OR AGENCY AND HAVING THE AGENCY OR DEPARTMENT ADDRESS COMMENTS AS PROVIDED IN SECTION 11-251.18.

A.R.S. § 41-1001.01. REGULATORY BILL OF RIGHTS; SMALL BUSINESSES

A. TO ENSURE FAIR AND OPEN REGULATION BY STATE AGENCIES, A PERSON:

1. IS ELIGIBLE FOR REIMBURSEMENT OF FEES AND OTHER EXPENSES IF THE PERSON PREVAILS BY ADJUDICATION ON THE MERITS AGAINST AN AGENCY IN A COURT PROCEEDING REGARDING AN AGENCY DECISION AS PROVIDED IN SECTION 12-348.
2. IS ELIGIBLE FOR REIMBURSEMENT OF THE PERSON'S COSTS AND FEES IF THE PERSON PREVAILS AGAINST ANY AGENCY IN AN ADMINISTRATIVE HEARING AS PROVIDED IN SECTION 41-1007.
3. IS ENTITLED TO HAVE AN AGENCY NOT CHARGE THE PERSON A FEE UNLESS THE FEE FOR THE SPECIFIC ACTIVITY IS EXPRESSLY AUTHORIZED AS PROVIDED IN SECTION 41-1008.
4. IS ENTITLED TO RECEIVE THE INFORMATION AND NOTICE REGARDING INSPECTIONS AND AUDITS PRESCRIBED IN SECTION 41-1009.
5. MAY REVIEW THE FULL TEXT OR SUMMARY OF ALL RULEMAKING ACTIVITY, THE SUMMARY OF SUBSTANTIVE POLICY STATEMENTS AND THE FULL TEXT OF EXECUTIVE ORDERS IN THE REGISTER AS PROVIDED IN ARTICLE 2 OF THIS CHAPTER.
6. MAY PARTICIPATE IN THE RULEMAKING PROCESS AS PROVIDED IN ARTICLES 3, 4, 4.1 AND 5 OF THIS CHAPTER, INCLUDING:
 - (A) PROVIDING WRITTEN COMMENTS OR TESTIMONY ON PROPOSED RULES TO AN AGENCY AS PROVIDED IN SECTION 41-1023 AND HAVING THE AGENCY ADEQUATELY ADDRESS THOSE COMMENTS AS PROVIDED IN SECTION 41-1052, SUBSECTION D, INCLUDING COMMENTS OR TESTIMONY CONCERNING THE INFORMATION CONTAINED IN THE ECONOMIC, SMALL BUSINESS AND CONSUMER IMPACT STATEMENT.
 - (B) FILING AN EARLY REVIEW PETITION WITH THE GOVERNOR'S REGULATORY REVIEW COUNCIL AS PROVIDED IN ARTICLE 5 OF THIS CHAPTER.
 - (C) PROVIDING WRITTEN COMMENTS OR TESTIMONY ON RULES TO THE GOVERNOR'S REGULATORY REVIEW COUNCIL DURING THE MANDATORY SIXTY-DAY COMMENT PERIOD AS PROVIDED IN ARTICLE 5 OF THIS CHAPTER.
7. IS ENTITLED TO HAVE AN AGENCY NOT BASE A LICENSING DECISION IN WHOLE OR IN PART ON LICENSING CONDITIONS OR REQUIREMENTS THAT ARE NOT SPECIFICALLY AUTHORIZED BY STATUTE, RULE OR STATE TRIBAL GAMING COMPACT AS PROVIDED IN SECTION 41-1030, SUBSECTION B.
8. IS ENTITLED TO HAVE AN AGENCY NOT MAKE A RULE UNDER A SPECIFIC GRANT OF RULEMAKING AUTHORITY THAT EXCEEDS THE SUBJECT MATTER AREAS LISTED IN THE SPECIFIC STATUTE OR NOT MAKE A RULE UNDER A GENERAL GRANT OF RULEMAKING AUTHORITY TO SUPPLEMENT A MORE SPECIFIC GRANT OF RULEMAKING AUTHORITY AS PROVIDED IN SECTION 41-1030, SUBSECTION C.
9. MAY ALLEGE THAT AN EXISTING AGENCY PRACTICE OR SUBSTANTIVE POLICY STATEMENT CONSTITUTES A RULE AND HAVE THAT AGENCY PRACTICE OR SUBSTANTIVE POLICY STATEMENT DECLARED VOID BECAUSE THE PRACTICE OR SUBSTANTIVE POLICY STATEMENT CONSTITUTES A RULE AS PROVIDED IN SECTION 41-1033.
10. MAY FILE A COMPLAINT WITH THE ADMINISTRATIVE RULES OVERSIGHT COMMITTEE CONCERNING:
 - (A) A RULE'S, PRACTICE'S OR SUBSTANTIVE POLICY STATEMENT'S LACK OF CONFORMITY WITH STATUTE OR LEGISLATIVE INTENT AS PROVIDED IN SECTION 41-1047.
 - (B) AN EXISTING STATUTE, RULE, PRACTICE ALLEGED TO CONSTITUTE A RULE OR SUBSTANTIVE POLICY STATEMENT THAT IS ALLEGED TO BE DUPLICATIVE OR ONEROUS AS PROVIDED IN SECTION 41-1048.
11. MAY HAVE THE PERSON'S ADMINISTRATIVE HEARING ON CONTESTED CASES AND APPEALABLE AGENCY ACTIONS HEARD BY AN INDEPENDENT ADMINISTRATIVE LAW JUDGE AS PROVIDED IN ARTICLES 6 AND 10 OF THIS CHAPTER.
12. MAY HAVE ADMINISTRATIVE HEARINGS GOVERNED BY UNIFORM ADMINISTRATIVE APPEAL PROCEDURES AS PROVIDED IN ARTICLES 6 AND 10 OF THIS CHAPTER AND MAY APPEAL A FINAL ADMINISTRATIVE DECISION BY FILING A NOTICE OF APPEAL PURSUANT TO TITLE 12, CHAPTER 7, ARTICLE 6.
13. MAY HAVE AN AGENCY APPROVE OR DENY THE PERSON'S LICENSE APPLICATION WITHIN A PREDETERMINED PERIOD OF TIME AS PROVIDED IN ARTICLE 7.1 OF THIS CHAPTER.
14. IS ENTITLED TO RECEIVE WRITTEN NOTICE FROM AN AGENCY ON DENIAL OF A LICENSE APPLICATION:
 - (A) THAT JUSTIFIES THE DENIAL WITH REFERENCES TO THE STATUTES OR RULES ON WHICH THE DENIAL IS BASED AS PROVIDED IN SECTION 41-1076.
 - (B) THAT EXPLAINS THE APPLICANT'S RIGHT TO APPEAL THE DENIAL AS PROVIDED IN SECTION 41-1076.
15. IS ENTITLED TO RECEIVE INFORMATION REGARDING THE LICENSE APPLICATION PROCESS BEFORE OR AT THE TIME THE PERSON OBTAINS AN APPLICATION FOR A LICENSE AS PROVIDED IN SECTIONS 41-1001.02 AND 41-1079.
16. MAY RECEIVE PUBLIC NOTICE AND PARTICIPATE IN THE ADOPTION OR AMENDMENT OF AGREEMENTS TO DELEGATE AGENCY FUNCTIONS, POWERS OR DUTIES TO POLITICAL SUBDIVISIONS AS PROVIDED IN SECTION 41-1026.01 AND ARTICLE 8 OF THIS CHAPTER.
17. MAY INSPECT ALL RULES AND SUBSTANTIVE POLICY STATEMENTS OF AN AGENCY, INCLUDING A DIRECTORY OF DOCUMENTS, IN THE OFFICE OF THE AGENCY DIRECTOR AS PROVIDED IN SECTION 41-1091.
18. MAY FILE A COMPLAINT WITH THE OFFICE OF THE OMBUDSMAN-CITIZENS AIDE TO INVESTIGATE ADMINISTRATIVE ACTS OF AGENCIES AS PROVIDED IN CHAPTER 8, ARTICLE 5 OF THIS TITLE.
19. UNLESS SPECIFICALLY AUTHORIZED BY STATUTE, MAY EXPECT STATE AGENCIES TO AVOID DUPLICATION OF OTHER LAWS THAT DO NOT ENHANCE REGULATORY CLARITY AND TO AVOID DUAL PERMITTING TO THE EXTENT PRACTICABLE AS PRESCRIBED IN SECTION 41-1002.
20. MAY HAVE THE PERSON'S ADMINISTRATIVE HEARING ON CONTESTED CASES PURSUANT TO TITLE 23, CHAPTER 2 OR 4 HEARD BY AN INDEPENDENT ADMINISTRATIVE LAW JUDGE AS PRESCRIBED BY TITLE 23, CHAPTER 2 OR 4.
21. PURSUANT TO SECTION 41-1009, SUBSECTION E, MAY CORRECT DEFICIENCIES IDENTIFIED DURING AN INSPECTION UNLESS OTHERWISE PROVIDED BY LAW.

B. THE ENUMERATION OF THE RIGHTS LISTED IN SUBSECTION A OF THIS SECTION DOES NOT GRANT ANY ADDITIONAL RIGHTS THAT ARE NOT PRESCRIBED IN THE SECTIONS REFERENCED IN SUBSECTION A OF THIS SECTION.

C. EACH STATE AGENCY THAT CONDUCTS AUDITS, INSPECTIONS OR OTHER REGULATORY ENFORCEMENT ACTIONS PURSUANT TO SECTION 41-1009 SHALL CREATE AND CLEARLY POST ON THE AGENCY'S WEBSITE A SMALL BUSINESS BILL OF RIGHTS. THE AGENCY SHALL CREATE THE SMALL BUSINESS BILL OF RIGHTS BY SELECTING THE APPLICABLE RIGHTS PRESCRIBED IN THIS SECTION AND SECTION 41-1009 AND ANY OTHER AGENCY-SPECIFIC STATUTES AND RULES. THE AGENCY SHALL PROVIDE A WRITTEN DOCUMENT OF THE SMALL BUSINESS BILL OF RIGHTS TO THE AUTHORIZED ON-SITE REPRESENTATIVE OF THE REGULATED SMALL BUSINESS. IN ADDITION TO THE RIGHTS LISTED IN THIS SECTION AND SECTION 41-1009, THE AGENCY NOTICE OF THE SMALL BUSINESS BILL OF RIGHTS SHALL INCLUDE THE PROCESS BY WHICH A SMALL BUSINESS MAY FILE A COMPLAINT WITH THE AGENCY EMPLOYEES WHO ARE DESIGNATED TO ASSIST MEMBERS OF THE PUBLIC OR REGULATED COMMUNITY PURSUANT TO SECTION 41-1006. THE NOTICE MUST PROVIDE THE CONTACT INFORMATION OF THE AGENCY'S DESIGNATED EMPLOYEES. THE AGENCY NOTICE MUST ALSO STATE THAT IF THE REGULATED PERSON HAS ALREADY MADE A REASONABLE EFFORT WITH THE AGENCY TO RESOLVE THE PROBLEM AND STILL HAS NOT BEEN SUCCESSFUL, THE REGULATED PERSON MAY CONTACT THE OFFICE OF OMBUDSMAN-CITIZENS AIDE.

**Application for a Variance to Extend Operation of Special Event Booth
January 1st through December 31st - 2017**

Establishment Name: _____

Address: _____

Contact Name: _____ Contact Phone Number: _____

Contact Email: _____

Type of Variance to the Yavapai County Health Code and Ordinance, Food and Drug Administration (FDA), 2009 Food Code, Section 1-201.10 (B) Temporary Food Establishment. Pursuant to Section 8-103.11, the above named establishment applies to the Health Officer for a variance of Section 1-201.10 (B) Temporary Food Establishment of the Food Code 2009 which limits temporary food establishment to no more than 14 consecutive days in conjunction with a single event or celebration.

The application must be submitted with all applicable non-refundable fees.

Pursuant to Section 8-103.11, the Health Officer may grant a variance to Section 1-201.10 (B), "Temporary Food Establishment" to allow annual operation of a temporary food establishment at multiple events. The establishment shall comply with the following conditions to ensure that a health hazard or nuisance will not result from the variance:

- Variance must be applied for annually.
- Variance is specific to one booth per operator, one booth layout, and one Menu. If additional booths are desired at the same event or at other events on the same date, an additional variance needs to be acquired.
- Draw a diagram of the booth.
- Submit a menu. Menu needs to be simple and the variance is for one specific menu. No more than 3 to 4 Potentially Hazardous Food (PHF) items will be approved. Approval of menu will be done on a case by case base. The decision of number of PHF items allowed will be based on risk factors associated with food items being prepared.
- Annual Variance Signage must be posted at the front entrance of the booth. (This executed and approved form)
- Commissary agreement will be required if applicable.
- Notification to YCCHS for each event that will be attended is required within 2 working days (M-F, 8-5 only) before the event that will be attended **or a \$55.00 Event Late Fee will be charged. No future events may be attended if late fees are outstanding.**
- Follow all Federal, State, and County applicable rules and regulations, including special event application requirements.

I hereby certify that the above named establishment will comply with the above conditions and standards and any other conditions and standards that may be established by the Health Officer for the variance. If the variance request is approved and the permit holder/person-in-charge fails to comply with the standards and conditions established by the Health Officer, the Health Officer reserves the right to revoke the variance at any time. No "Hearing" process rules will apply.

Applicant Name (PRINT)

Applicant Signature

Date

Below this line for YCCHS use only: =====

Date Received: _____ Received by: _____ Fees Paid: _____

Variance Granted Signature: _____ Date granted: _____

Variance Denied Signature: _____ Date denied: _____

Reason(s) for Denial:

PLEASE RETAIN AND POST THIS EXECUTED FORM AS PROOF OF VARIANCE APPROVAL AND PAYMENT.