

30 Day Transition for New Owners

The 30 Day Transition allows for New Owners of existing food establishments to remain in business for 30 days while the permit application is in the review process and the criteria detailed in Chapter 8, Section 2, Regulation 7 of the Maricopa County Environmental Health Code (MCEHC) are in compliance.

FAQs

Q: When should the New Owner submit the 30 Day Transition Application?

A: The New Owner should submit at least 2 business days prior to the change of ownership.

Q: Can the New Owner operate upon submitting the 30 Day Transition Application?

A: No, the New Owner must first receive written approval from the Department prior to operating.

Q: How many days will it take to obtain a response from the Department?

A: The Department will provide written response within 2 working days of receiving a complete transition application from the new owner.

Q: Does each permit require a separate 30 Day Transition Application?

A: Yes, each permit will require a separate form and a separate approval from the Department.

Q: What happens if an establishment fails to submit a 30 day Transition Application to the Department for any/all permits in a particular location and a New Owner is found operating without all approvals in place?

A: The Department follows standard procedure:

- **Staff will conduct an inspection (i.e. Permit Requirement Inspection Report (PRIR)) and submit a legal action request to the Enforcement Program, which will result in a Cease & Desist being generated and sent to the establishment. Once the Cease & Desist has been received by the establishment, the establishment shall cease operations.**

Q: What will occur if a complaint is received by the Department for an establishment that was approved for the 30 Day Transition?

A: A Complaint Response will be conducted by the inspector.

- **If any of the violations detailed in the MCEHC Chapter 8, Section 2, Regulation 7d are found and were not addressed appropriately by the establishment prior to the inspector arriving onsite, the establishment will be posted closed with a Department red closed sign and the approval for the 30 day transition will be voided.**
- **If none of the violations detailed in the MCEHC Chapter 8, Section 2, Regulation 7d are observed or if the establishment addresses the imminent hazard prior to the inspector arriving onsite, then the 30 Day Transition will not be affected.**

Q: What criteria must be met in order for an establishment to be granted approval to operate under the 30 day transition?

A:

- **Submit a 30 Day Transition Application in advance of ownership change.**
- **Previous owner had a valid permit at the time of ownership change.**
- **New Owner acknowledges that no violations as detailed in the MCEHC Chapter 8, Section2, Regulation 7d exist.**
- **New Owner agrees not to conduct any operation that requires a variance without prior approval.**
- **New Owner has no outstanding legal actions with the Department.**
- **New Owner has no outstanding unpaid balances with the Department.**

Q: What happens if the Ownership Change does not go through as planned?

A: The applicant is responsible for communicating in writing any changes to the Department to receive written approval for operation during a 30 day transition.

Q: How many inspections does the establishment receive during this 30 day transition?

A: Two plan review inspections, any more than this would require additional fees.

Q. How will the new owner be notified that their 30 day transition application has been approved when it could take up to 2 working days for approval?

A. The applicant will receive approval by email, fax, or regular mail, based on the contact information the applicant provides on the application.