

Change of Ownership Review Process for Food Service Facilities

Step by Step Instructions

For Facilities with Remodeling or Changes to Menu, Equipment, or Layout

A plan review process is required for a new owner of an existing food service facility (FSF) (Change of Ownership). Food Service Facility Licenses cannot be transferred from one owner to another; the steps below must be completed by the new owner prior to taking ownership of a FSF. If you are considering purchasing a FSF, **contact the Howard County Health Department Food Protection Program (410-313-1772)** regarding the requirements and steps for completing the application for the food facility license. Be advised that the existing facility may need to be updated to current standards. Any changes to the menu, food process, equipment and the floor plan not previously approved may need to be addressed during the plan review and inspection process.

PLEASE NOTE: Sometimes changes of ownership are associated with remodeling. Code of Maryland Regulations (COMAR) 10.15.03, requires that properly prepared plans be submitted and approved before a person constructs a food establishment, remodels or alters a food establishment, or converts or remodels an existing building. All food service facilities (including mobile units) that are to be newly constructed, remodeled, or materially altered are required to submit plans and specifications to the Howard County Health Department, Bureau of Environmental Health, Food Protection Program (410-313-1772), for approval prior to starting any work.

STEP 1: If you plan renovations or interior alterations, contact the Howard County Department of Inspections, Licenses and Permits (DILP) at 3430 Courthouse Drive, Ellicott City, MD 21043. Contact DILP at 410-313-2455 prior to remodeling to ensure you have appropriate building, electrical, and plumbing permits if required.

STEP 2: Review the [Change of Ownership Packet](#) and the [Change of Ownership FAQ](#). The documents required will depend on the extent of change, if any, you plan for your food service facility. *Call the Food Protection Program at 410-313-1772 to clarify the materials required for your situation.*

Needed for Changes of Ownership making changes to layout, equipment, or physical structure:

- Application for a Food Service Facility License if the food service facility remains in operation* during the change of ownership. *This application will be provided to you once you have contacted the Health Department as the new owner of the facility. Application for a food license will remain pending while your facility undergoes plan review. Fee will be determined based upon the priority of your facility. [\[Fee Schedule\]](#)*

**If there is a break in operation of the food service facility, application for the license should take place upon completion of the plan review*

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- [Plan Review Form for Change of Ownership](#), signed
- Menu -- all food items listed on the menu (including seasonal items)
- Updated HACCP plan (for Moderate and High priority facilities; see [HACCP Guidelines](#)) with:
 - Written HACCP training agreement
 - Standard Operating Procedures (for Moderate and High priority facilities) which include employee illness policy [[SOP Guidelines](#)]
- Scaled floor plan showing location of numbered equipment (architectural drawings preferred; accurate and legible hand drawn drawings may be acceptable in the absence of architectural drawings [[Example of an Architectural Drawing of Floor Plan with Equipment List](#); [Example of a Hand Drawn Floor Plan with Equipment List](#)])
- List of equipment – numbered to match plan, indicating existing and new equipment
 - Manufacturer specification sheets for each piece of new equipment indicating the model number
 - Manufacturer (and model # if available) for existing equipment must be noted on the equipment list. Not all existing equipment may be approvable.
 - A minimum 50 gal hot water heater is required for all facilities
- Ensure exhaust hood filters and any duct work are clean and maintained (if applicable)
- Obtain a Food Service Manager Card Issued by Howard County Health Department (for High and Moderate facilities only). The following items are required to obtain the card:
 - [Food Service Manager Card Application](#) must be presented by the applicant in person with photo identification and one 2” by 2” photograph
 - Original copy of a certified manager’s certificate issued within 3 years. The following ANSI certified training certificates are acceptable:
 - Serv Safe
 - National Registry of Food Safety Professionals
 - 360 Training
 - Prometric, Inc.
 - State Food Safety Manager Certification
 - \$17 fee paid by Check/Money Order payable to the “Director of Finance,” or cash in the exact amount

STEP 3: The Food Program will review your submittal for conformance with state regulations (Code of Maryland Regulations ([COMAR 10.15.03 Food Service Facilities](#))). ***Food Protection Program staff will inform you in a Plan Review Letter of your plan review fee and any need for additional information within 10-15 business days.***

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STEP 4: Provide a written response addressing each of the comments in the Plan Review Letter along with any additional information requested. Review of the required resubmittal or requested revision may take as many as 10-15 days depending on the complexity of the submittal or revision. Changes to the original proposal, such as kitchen layout, menu, etc., may result in a longer review time within that range.

STEP 5: The Food Protection Program will advise you when it determines that all information has been received and approved. The Food Protection Program will provide an approval letter and provide Health Department Food Protection Program approval of the building permit. *Changes to the original proposal, such as kitchen layout, menu, etc., submitted after the release of the building permit by DILP will result in an additional plan review fee and additional review time.*

STEP 6: Call the Health Department Food Protection Program at 410-313-1772 to schedule a change of ownership inspection. The change of ownership inspection differs from the routine comprehensive inspections that an operating restaurant experiences periodically. *The primary focus of a change of ownership inspection is to evaluate the physical structure inside the facility and the condition and installation of the equipment. The following list includes some of the items that the inspector will be evaluating during the inspection:*

- The facility will be evaluated to determine if all required equipment has been provided (i.e. sufficient refrigeration, hot hold units, prep sinks, adequate storage space, etc.) and meets the needs of the facility according to the menu and HACCP plan
- Adequate lighting throughout the facility
- Exhaust hood functionality; test for proper exhaust and make up air
- Ensure that all refrigeration maintains proper temperature, is in good working condition, and has thermometers
- All existing and new equipment are in good condition, properly functioning, and properly installed. Food equipment must meet one or more of the following design standards: a) National Sanitation Foundation (NSF) or equivalent sanitation certification from: The Etlsemko division of Intertek Group PLC, Canadian Standards Association, or Underwriters Laboratories; b) Baking Industry Sanitation Standards Committee; c) National Automation Merchandizing Association; d) International Association of Milk and Food Sanitarian's "3-A Sanitary Standards"; or e) Another applicable published standard acceptable to the approving authority (see COMAR 10.15.03.15).
- Flooring, walls, and ceiling tiles to ensure they are constructed of the approved material and are in good condition [e.g., floors constructed of epoxy, sealed concrete, quarry tile, or ceramic tile; walls constructed of stainless steel or fiberglass reinforced plastic (FRP); ceiling constructed of smooth, washable surfaces without fiberglass backing]
- Location and number of hand sinks
- Properly installed exit doors (self-closing, tight-fitting/rodent proof, and in good repair)
- Floor sinks/drains are clean; proper air gaps are provided for all drain lines
- Proper backflow prevention devices are required on all equipment attached directly to a water line; some backflow devices need to be replaced every three years (e.g., ice machine)

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- Trash/dumpster/grease barrels must be on a cleanable and impervious surface (e.g., concrete pad)
- For facilities serviced by a private well or on-site sewage disposal system, these systems must be verified to be in good working condition and in compliance with the allotted number of seats based on septic system capacity as determined by the Howard County Well and Septic Program

Operators can consult [COMAR 10.15.03 Food Service Facilities](#) to be reminded of the regulations that apply.

STEP 7: A follow up inspection may be needed to verify that remaining items identified in the Change of Ownership inspection have been corrected.

STEP 8: On successful completion of the inspection/s showing conformity with requirements, and if the license fee has been paid [see [Fee Schedule](#)], the facility will be issued a Food Service Facility License valid for one year. The Health Department will recommend issuance of a liquor license if you have applied for one.

The owner of an open and operating facility has 30 days following completion of the license application and payment of the fee to meet review requirements. If the review requirements are not met within that time, the license application may be denied, and the food service facility may be closed and/or fined for operating without a Food Service Facility License. Please call the Food Protection Program at 410-313-1772 if you are unsure about the requirements or process.

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