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INTERGOVERNMENTAL AFFAIRS DIVISION

COUNTY AGENCY LEGISLATIVE COMMENT REQUEST FORM

Reviewing Agency: Department of Permitting, Inspections and Enforcement

Bill/Resolution Number: CB-72-2025

Brief Summary of the Bill/Resolution: Building Code- Administrative Provisions – Restaurant Development and Acceleration. The purpose of the Bill is to accelerate the development of sit-down restaurants in underserved areas; implement a fast-track permitting concierge service for food service facility applicants; provide for pre-approved restaurant buildout plans and expedited review of permit plans; requiring annual program reporting; and generally relating to building permit approvals.

Agency Impact:

Will this bill impact your Agency financially or operationally, or your Agency's mission?

☒ Yes ☐ No ☐ Undeterminable at this time

If yes, please select the appropriate impact: ☐ Positive Impact ☒ Negative Impact ☐ No Impact

Discussion of Impact:

DPIE does not support this Bill. This Bill will have a significant impact on DPIE operations and the review of permits and may impact potential liability. DPIE submits the following comments.

Eligibility, Page 2 Line 14

This definition should be reviewed by Park & Planning to determine if there is a conflict with the zoning laws; specifically, are there areas that may be impacted with expanded growth.

Concierge Service, Page, Line 18

As indicated, DPIE is not in support of this Bill. However, if this Bill is enacted, DPIE should not be the agency responsible for creating or implementing this program. DPIE reviews Subtitle 4 for compliance with the construction of the building.

The DOH plays a major role in the permitting and licensing of restaurants. As such, DOH should review this Bill for comments. Also, since their responsibility is the oversight of restaurants, DOH should be the agency that creates and implements the Restaurant Concierge Service Program. Because this Bill addresses food handling, preparation and licensing, DOH should also lead the meeting, communication, and provide the assistance required by this Bill.

Lastly, DPIE has 3 very active specialty programs, i.e. Business Development Section (BDS), Rapid Permit Response Team, and Mega Suites. As such, any additional specialty program will significantly impact DPIE's overall review of plans and permit issuance. Additional staffing and IT would be necessary to implement this additional program.

Pre-Approved Buildout Plans, Page 2 Line 4

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DPIE suggests that this provision be removed. The County should not be responsible for creating plans (sample/generic/illustrative) because liability will attach. DPIE does not have the engineering staff or subject matter expertise to draft sample plans that address, plumbing, mechanical, fire systems, electrical requirements of restaurants. Each building location and infrastructure is unique. This proposed process does not meet best practices for engineers and architects. Lastly, if a sample plan were created and used for illustrative purposes, liability could attach if there is an accident at the building or the building does not function as needed. Restaurants also may incur additional expenses if the sample plans are used, and the building does not pass inspection due to the various codes that must be adhered to.

DPIE suggests that OOL review this provision to determine potential liability.

Expedited Review, Page 3 Line 2

DPIE does not support this provision for the reasons stated above (Pre-Approved Buildout Plans). DPIE's BDS purpose is to assist small business (restaurants included) in the permitting process. DPIE can work with the restaurant to assist in moving the project through plan review. This provision is duplicative.

Fee Reduction, Page 3 Line 5

DPIE does not suggest decreasing fees. Based on the current fiscal situation of the County, any decrease in funding will impact the general fund. DPIE suggests that the County work with EDC to see if there are funding options available to small businesses.

Fiscal Impact:

Please provide an estimate of the financial impact. For example, will this bill require you to hire more staff, create a computer system, etc?

Yes. Any decrease in fees will impact the County. Additionally, as indicated below, creating another specialty program without staffing will impact the plan review and permit issuance operations. As indicated above, additional staff and IT funding will be needed if the Bill is enacted.

Agency Position Recommendation:

☐ Support ☒ Oppose ☐ Support with Amendments ☐ No position

Please specify any suggested amendments in the space below?

Additional Information:

Has your agency been contacted by the State Department of Legislative Services staff regarding this proposal?

☐ Yes ☒ No

If yes, please provide comments about the discussion.

Contact: Lori S. Parris

Date: September 17, 2025