

~~(2) -- IN -- THE -- REGULATIONS -- ADOPTED -- UNDER -- THIS -- SUBTITLE, THE DEPARTMENT SHALL ADDRESS THE SPECIAL NEEDS -- OF -- SPECIAL -- FOOD SERVICE -- FACILITIES -- AND -- ESTABLISH -- STANDARDS -- THAT -- ARE -- LESS STRINGENT -- THAN -- THOSE -- STANDARDS -- REQUIRED -- FOR -- A -- FOOD -- SERVICE FACILITY -- WHICH -- TAKE -- INTO -- CONSIDERATION:~~

~~(i) -- THE -- TEMPORARY -- NATURE -- OF -- THE -- OPERATION;~~

~~(ii) -- THE -- FREQUENCY -- OF -- EVENTS -- CONDUCTED;~~

~~(iii) -- THE -- AMOUNT -- AND -- TYPES -- OF -- FOOD -- PREPARED;~~

~~(iv) -- THE -- METHODS -- OF -- FOOD -- PREPARATION.~~

(2) FOR EXCLUDED ORGANIZATIONS, THE DEPARTMENT:

(I) SHALL ADOPT SEPARATE REGULATIONS THAT ESTABLISH MINIMUM STANDARDS THAT:

1. ENSURE FOOD INTEGRITY AND SAFETY;
2. PRESERVE PUBLIC HEALTH; AND
3. CONTROL FOODBORNE ILLNESSES; AND

(II) MAY ADOPT SEPARATE REGULATIONS THAT ESTABLISH A LICENSING SYSTEM, WITH APPROPRIATE STANDARDS, THAT EXCLUDED ORGANIZATIONS MAY VOLUNTARILY CHOOSE TO SUBMIT TO AS A NONRESCINDABLE ALTERNATIVE TO REGULATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(B) A POLITICAL SUBDIVISION MAY NOT ADOPT A LAW, ORDINANCE, RULE, OR REGULATION THAT ESTABLISHES A STANDARD THAT IS LESS STRINGENT THAN RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.

(C) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THIS SUBTITLE DOES NOT LIMIT THE POWER OF A HOME RULE OR CHARTER COUNTY OR BALTIMORE CITY TO ADOPT AND ENFORCE LAWS, ORDINANCES, AND REGULATIONS THAT ARE CONSISTENT WITH THE PURPOSES OF THIS SUBTITLE, INCLUDING THE POWER TO ADOPT LOCAL LICENSING AND ENFORCEMENT PROCEDURES.

PART II. LICENSING

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(A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A PERSON MAY NOT OPERATE A FOOD ESTABLISHMENT UNLESS THE PERSON IS LICENSED BY THE DEPARTMENT.

(B) (1) A SEPARATE LICENSE IS REQUIRED FOR EACH FOOD ESTABLISHMENT THAT A PERSON OWNS OR OPERATES.