Montgomery County
Department of Permitting Services

RECIPE FOR SUCCESS

A Guide for Opening a Restaurant

montgomerycountymd.gov/dps-restaurants

RESEARCH | HIRE | SCHEDULE | APPLY | LICENSES | INSPECTIONS | OPTIONS

A Guide for Opening a Restaurant

Did you know that restaurant owners sometimes contact the Montgomery County Department of Permitting Services (DPS) ***after*** they sign a lease or buy a property only to find out the use in that zone is not allowed?

AVOID COSTLY SURPRISES!

CONTACT DPS BEFORE SIGNING A LEASE OR CONTRACT!

The ***"Recipe for Success"*** guide is designed to educate and connect you with County experts before the permitting process formally begins to ensure you are well informed and can plan your project successfully from start to finish. It is not intended to fully explain the process. This guide is tailored toward those who want to open a restaurant (food service establishment) in an existing space and may need interior alterations or a change of use.

Key Ingredients

1 Research the Property

Zoning

The way a property is zoned could impact whether a restaurant is allowed to operate or open at the proposed location. Customer parking is another important consideration. It is critical to contact the appropriate City, Town, or County having jurisdiction to confirm a restaurant use is permissible at a specific location ***before signing a lease or contract!***

Montgomery County DPS	**240-777-6245**

Other Municipal Zoning Contacts:

Barnesville	**240-489-3036**
Gaithersburg	**301-258-6330**
Rockville	**240-314-8211**
Laytonsville	**301-869-0042**
Poolesville	**301-428-8927**
Washington Grove	**301-926-2256**

Water & Sewer

If a property is served by public water and sewer, consult the Washington Suburban Sanitary Commission (WSSC) to learn about any requirements. For example, it may be necessary to upsize the existing meter or water line that serves the space which can be costly. Contact WSSC ***before signing a lease or contract!***

WSSC	**301-206-4001**

If a property is served by a private well or septic system, there may be restrictions for the number of customers making the location undesirable. Contact DPS ***before signing a lease or contract!***

DPS Well & Septic	**240-777-6318**

2 Hire an Expert

It is strongly recommended that you obtain the services of a leasing agent. A permit expediter may be helpful in coordinating the various requirements of agencies and with submission of fees and plans. Construction plans submitted to DPS must be prepared, signed, and sealed by an architect or engineer **licensed in the state of Maryland**. If available, these professionals should accompany you to a **free** virtual (or in-person) DPS consultation. ***Important Reminder:*** All trade permits (electrical, mechanical, fire, etc.) must be applied for and issued to a **licensed contractor**.

3 Schedule a Free DPS Consultation

Before applying for permits, schedule a **free** predesign consultation with County experts. Staff can answer questions about your desired location, explain any applicable sprinkler, alarm, accessibility, energy, or other code requirements, highlight what needs to be included on any drawings you submit and point out other permits or licenses you may need to open your restaurant.

4 Apply for Permits

Depending on the scope of work, you may need one, two or multiple permits. Plans, including those required by Department of Health and Human Services (DHHS), must be submitted using DPS eServices and submitted as part of the commercial building plan set. Once the building permit is issued, your licensed contractor(s) may apply for any trade permits. Visit the Restaurant Interior Alteration webpage on the DPS website for plan requirements.

5 Obtain a Food License

All restaurants in Montgomery County require a Food Service Facility License, issued by DHHS and ***must*** be renewed annually. Once the DHHS plan is approved and within 30 days of DHHS inspections, you must apply for the license. The license application and fee ***must be submitted directly to DHHS.***

The restaurant must be under the immediate control of a Certified Food Service Manager at all times. For more information, call **DHHS Plan Review at 240-777-3175.**

6 Schedule Inspections

All DPS permits are subject to inspections. Inspections must be scheduled online, and requests scheduled by noon will be performed the next business day. DHHS will inspect for requirements related to a Food Service Facility license. **All** inspections must pass prior to opening a restaurant.

7 Options to Consider

If you want to install outdoor café seating within a public sidewalk or other right-of-way, a DPS right-of-way permit is required. Visit the DPS website for more information or call the **Land Development Division at 240-777-6352.**

If you want to serve or sell alcohol, you will need a license from the Department of Alcohol and Beverage Services (ABS). For more information, visit the ABS website or **call 240-777-1900** and ask for licensing.

Important Resources

We hope you find this guide and the charts that follow helpful. Remember, it is important to contact DPS ***before*** you sign a lease or contract for a potential restaurant space. For more details, visit the Restaurant Interior Alteration webpage on the DPS website which provides detailed guidance, links and resources about the permitting process. It also includes an overview, step-by-step process, and frequently asked questions and answers. DPS is "Your Project Partner" and our staff is here to help! If you have any questions about opening or expanding a restaurant, contact DPS Manager Chris Allen at **240-447-0488** or email him at **chris.allen@montgomerycountymd.gov**.

Another key resource to help you start or grow a business in Montgomery County is the Montgomery County Business Center. Visit the Business Center for more comprehensive guides and resources.

montgomerycountymd.gov/business

DPS PERMITS

Permit Type	Required	*Fee	**Average Days/ Review Cycle
Commercial Building Alteration	For any interior construction.	Cost of Construction x 0.025956	20 business days
Use and Occupancy	For a change in use or if there is no existing U&O.	0-5,000 SF.....$383.93 5,001-10,000 SF.....$562.38 10,0001-20,000 SF ..... $859.79 >20,000 .....$1,341.06 plus $.025956 per SF above 20,000	7 business days
Electrical/ Mechanical/Fire	For any electrical, HVAC or fire protection work.	Varies based on scope of work	5 business days
Sign	For installing new exterior sign.	$324.45	10 business days
Fire Code Compliance	If the owner, tenant, or use of the building changes.	$102.74 plus $102.74 per fire protection system	7 business days
Outdoor Café Seating	To install seating within a public sidewalk or other right-of-way.	$232.52	5 business days

** Fees are subject to change. Use the DPS Fee Estimator for more information. Final fees will be calculated by DPS.*
***See the Permitting Dashboard on the front page of the DPS website for information about average time to review and/or issue permits.*

OTHER PERMITS AND LICENSES

Permit and License Type	Required	*Fee	Average Days/ Review Cycle
DHHS Plan Submission	Prior to opening, an application plan and fee must be submitted online to DPS. Once inspected and approved for operation, a food service facility license must be obtained.	Based on Facility Type $240-$600	14 business days
DHHS Food Service Facility License	Prior to opening, an application and fee must be submitted directly to DHHS.	Based on Facility Type $200-$525	14 business days
Certified Food Service Manager (CFSM)	Prior to opening, at least one person must be certified. Visit the DHHS website for approved courses and to obtain a Montgomery County CFSM card.	$50	Immediately
**ABS New Alcohol License	For a facility that has never had an Alcohol License.	Nonrefundable Filing Fee $600 Due upon submittal	4-6 weeks
**ABS Transfer Alcohol License	For a facility that is willing to transfer an existing Alcohol License to a new tenant.	Nonrefundable Filing Fee $600 Due upon submittal	4-6 weeks
**ABS Fingerprinting Fee	For each licensed applicant and general manager. Appointments for fingerprinting must be scheduled online.	$120	1-7 business days

**Fees subject to change.*
***ABS licenses and fingerprinting fee are required if serving or selling alcohol.*

OUTSIDE AGENCY REQUIREMENTS

Permit and License Type	Required	Fee	Average Days/ Review Cycle
WSSC Plumbing and Gas Permit	For any plumbing or gas installations or modifications.	Contact WSSC	Contact WSSC
WSSC FSE* Wastewater \Discharge Permit	If there is potential to discharge fats, oils or grease.	Contact WSSC	Contact WSSC
Business License – State of Maryland Circuit Court	Prior to opening.	Contact Circuit Court	Contact Circuit Court
State Sales and Use Tax License – Maryland Comptroller's Office	Prior to opening.	Contact MD Comptroller's Office	Contact MD Comptroller's Office

* Food Service Establishment

DPS Montgomery County Department of Permitting Services

YOUR PROJECT PARTNER

Montgomery County Department of Permitting Services

2425 Reedie Drive, 7th Floor, Wheaton MD 20902
Monday-Friday, 7:30 a.m.-4 p.m.
240-777-0311 (MC311)

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