

**Model Ordinance – Pets in Outdoor Dining Areas**

**MUNICIPALITY**

**ORDINANCE NUMBER**

AN ORDINANCE to amend [SECTION] of the [MUNICIPAL STATUTES/CODE] allowing pets in outdoor dining areas.

**WHEREAS**, pet ownership promotes a healthy, active lifestyle and facilitates emotional connections between community members; and

**WHEREAS**, pet owners are more likely to meet people in their communities and people report feeling safer in their communities when pets are in public; and

**WHEREAS**, allowing pets in outdoor dining areas creates greater opportunities for people to bond with their pets and interact with other pet owners, and drives economic benefits for participating restaurants;

Be it ordained by the Mayor and Council of [MUNICIPALITY, COUNTY, AND STATE] as follows:

**SECTION 1.** Pets under the control of a person shall be permitted in an outdoor dining area of a food establishment, or a designated portion of an outdoor dining area, if the following conditions are met:

- a. The owner of the food establishment elects to allow pets;
- b. The pet is on a leash or confined to a pet carrier;
- c. A separate outdoor entrance is present where pets enter without going through the food establishment;
- d. Signs are conspicuously posted indicating that pets are allowed in the outdoor dining area;
- e. Pets are not allowed on chairs, benches, seats or other fixtures;
- f. The outdoor dining area is not used for food or drink preparation or the storage of utensils;
- g. Food and water provided to pets shall only be in single-use disposable containers;
- h. Food establishment employees are prohibited from having direct contact with pets while on duty. Any employee who does have such direct contact shall wash their hands thoroughly;
- i. The outdoor dining area is maintained clean, and surfaces that have been contaminated with pet excrement or other body fluids shall be cleaned and sanitized;

- j. A covered refuse container shall be located in the outdoor dining area and shall be used exclusively to store all pet waste generated;
- k. The food establishment owner ensures compliance with local ordinances related to sidewalks, public nuisance, and sanitation, and
- l. The food establishment owner shall request that a pet owner remove from the establishment any pet that menaces, threatens or bites any person or other pet. The food establishment owner shall not serve a pet owner who refuses to comply with a request to remove such a pet.

**SECTION 2.** Except as specified by applicable regulations of [STATE] and the federal Food and Drug Administration, all live animals are prohibited from entering indoor areas of food establishments.

**SECTION 3.** This ordinance shall take effect immediately.

## **Explanation of the Model Ordinance**

### **a. Section 1**

Section 1 allows pets to be present in outdoor dining areas of food establishments, provided they are under the control of a person, the food establishment elects to allow pets, and the food establishment meets certain conditions.

### **b. Section 2**

Section 2 notes that live animals remain prohibited from indoor areas of food establishments, with the exception of certain circumstances as specified in state and federal regulations.