

AMENDMENTS TO VARIANCES FOR DOGS ON OUTDOOR PATIOS

Presented to the Neighborhood Quality of Life

Environmental and Health Services Department
Food Protection and Education
February 25, 2008



PURPOSE

- Propose changes to Chapter 17, “Food Establishments,” of the Dallas City Code requested by the restaurant owners.
- Modify variance standards for allowing dogs on outdoor patios of permitted food establishments.

BACKGROUND

- On January 24, 2007 the Dallas City Council adopted amendments to Chapter 17, “Food Establishments,” of the Dallas City Code.
- Amendments provided for a variance from Chapter 17 and state law to allow dogs on outdoor patios of food establishments, under the following conditions and standards:
 - A separate entrance must be provided from the outside of the food establishment to the outdoor patio.
 - A “dog friendly restaurant” sign must be posted at the front entrance of the establishment so that it is easily visible to the public.
 - Air curtains must be provided to separate the outdoor patio from the interior of the food establishment.

BACKGROUND (Cont'd)

- No food preparation, including mixing drinks or serving ice, may be performed in the outdoor patio area.
- The outdoor patio must be cleaned at least every 30 minutes with animal friendly chemicals whenever a dog is present.
- Equipment used to clean the outdoor patio must be kept outside of the food establishment.
- Wait staff or other food handlers at the food establishment may not pet or have contact with any dog.
- A dog must be wearing a collar with a current rabies tag and kept on a leash and in control of the customer.
- A dog is not allowed on any seat, table, or countertop on the patio or allowed to have contact with any dishes or utensils used for food service or preparation at the food establishment.

BACKGROUND (Cont'd)

- Six restaurants have applied for variances to allow dogs on outdoor patios. No applicants have completed the process.
- EHS Staff met with Council members and representatives of various restaurants who expressed concerns about one or more conditions and standards currently required to allow dogs on outdoor patios.

AREAS OF CONCERN

- Installation of the air curtain at the doorway is expensive
 - Cost is \$650 to \$1,100 depending on the size of the unit.
- Cleaning the outdoor patio every 30 minutes is not feasible.

STATUS

- On July 2007, councilmember's Angela Hunt and Dr. Elba Garcia met with EHS staff and Chairman, Dallas Animal Shelter Commission to discuss areas of concern.
- The Dallas Animal Shelter Commission unanimously approved all the proposed amendments to the ordinance on August 9, 2007.
- January 2008 a meeting was held with the Restaurant Association to discuss the proposed amendments.

PROPOSED AMENDMENTS TO THE VARIANCE STANDARDS

- Install a self closing device on each food establishment door that provides access to the patio.
- Prohibit dogs within 7 feet of any door accessing the interior of the food establishment, except when entering or exiting the patio.
- Maintain patio free of visible dog hair, dander, and related waste and debris.
- Whenever dogs have been present on patio, hose/mop patio with animal friendly chemicals every 6 hours or before each shift.
- Clean for dog's bodily functions within five minutes after each occurrence.

NEXT STEPS

- Recommend Neighborhood Quality of Life Committee approve the proposed changes.
- City Attorneys Office will amend the ordinance to include any changes by the committee.
- The proposed ordinance will be brought forth for Council approval – March 26, 2008.