

Introduced by Council Member Arias:

ORDINANCE 2025-866

AN ORDINANCE AMENDING SECTION 165.102 (PRESENCE OF DOGS IN OUTDOOR PORTIONS OF PUBLIC FOOD SERVICE ESTABLISHMENTS), CHAPTER 165 (PUBLIC FOOD SERVICE ESTABLISHMENTS), *ORDINANCE CODE*, TO SUBSTITUTE THE PLANNING DEPARTMENT AS THE ENTITY RESPONSIBLE FOR PROCESSING APPLICATIONS MADE UNDER THIS SECTION; PROVIDING FOR CODIFICATION INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. Amending Section 165.102 (Presence of dogs in outdoor portions of public food service establishments), Chapter 165 (Public Food Service Establishments), *Ordinance Code*. Section 165.102 (Presence of dogs in outdoor portions of public food service establishments), Chapter 165 (Public Food Service Establishments), *Ordinance Code*, is hereby amended to read as follows:

CHAPTER 165 - PUBLIC FOOD SERVICE ESTABLISHMENTS

Sec. 165.102. - Presence of dogs in outdoor portions of public food service establishments.

- (a) Public food service establishments desiring to allow patrons' dogs to sit next to such patrons in the outdoor portion of such eating establishments may apply to ~~7~~ and receive a permit from the Planning Department. No fee shall be charged for the application for or issuance of a permit issued under this Section. ~~7 the City Council.~~
- (b) Applicants shall provide, on a form developed by the Current

1 Planning Division of the Planning and Development Department,
2 such information as is deemed reasonably necessary to enforce
3 the provisions of this Section, but which shall require, at
4 a minimum, the following information:

5 (1) The name, location, and mailing address of the public
6 food service establishment.

7 (2) The name, mailing address, and telephone contact
8 information of the permit applicant.

9 (3) A diagram and description of the outdoor area to be
10 designated as available to patrons' dogs, including
11 dimensions of the designated area; a depiction of the
12 number and placement of tables, chairs, and restaurant
13 equipment, if any; the entryways and exits to the
14 designated outdoor area; the boundaries of the
15 designated area and of other areas of outdoor dining not
16 available for patrons' dogs; any fences or other
17 barriers; surrounding property lines and public rights-
18 of-way, including sidewalks and common pathways; and
19 such other information reasonably required by the
20 permitting authority. The diagram or plan shall be
21 accurate and to scale but need not be prepared by a
22 licensed design professional.

23 (4) A description of the days of the week and hours of
24 operation that patrons' dogs will be permitted in the
25 designated outdoor area.

26 (c) All public food service establishments receiving a permit
27 under this Section shall ~~pay a fee as provided in Section~~
28 ~~656.147(a)(23),~~ and meet the following requirements, in
29 addition to those requirements otherwise provided by law:

30 (1) All public food service establishment employees shall
31 wash their hands promptly after touching, petting, or

otherwise handling dogs. Employees shall be prohibited from touching, petting, or otherwise handling dogs while serving food or beverages or handling tableware or before entering other parts of the public food service establishment.

(2) Patrons in a designated outdoor area shall be advised that they should wash their hands before eating. Waterless hand sanitizer shall be provided at all tables in the designated outdoor area.

(3) Employees and patrons shall be instructed that they shall not allow dogs to come into contact with serving dishes, utensils, tableware, linens, paper products, or any other items involved in food service operations.

(4) Patrons shall keep their dogs on a leash at all times and shall keep their dogs under reasonable control.

(5) Dogs shall not be allowed on chairs, tables, or other furnishings.

(6) All table and chair surfaces shall be cleaned and sanitized with an approved product between seating of patrons. Spilled food and drink shall be removed from the floor or ground between seating of patrons.

(7) Accidents involving dog waste shall be cleaned immediately and the area sanitized with an approved product. A kit with the appropriate materials for this purpose shall be kept near the designated outdoor area.

(8) A sign or signs reminding employees of the applicable rules shall be posted on premises in a manner and place as determined by the local permitting authority.

(9) A sign or signs reminding patrons of the applicable rules shall be posted on premises in a manner and place as determined by the local permitting authority.

1 (10) A sign or signs shall be posted in a manner and place
2 as determined by the local permitting authority that
3 places the public on notice that the designated outdoor
4 area is available for the use of patrons and patrons'
5 dogs.

6 (11) Dogs shall not be permitted to travel through indoor or
7 non-designated ~~non-designated~~ outdoor portions of the
8 public food service establishment, and ingress and
9 egress to the designated outdoor portions of the public
10 food service establishment must not require entrance
11 into or passage through any indoor area of the food
12 establishment.

13 (d) A permit issued pursuant to this Section shall not expire
14 except ~~be transferred to a subsequent owner~~ upon the sale of
15 a public food service or eating establishment. A permit issued
16 pursuant to this Section ~~but~~ shall expire automatically upon
17 the sale of the establishment. The subsequent owner shall be
18 required to reapply for a permit pursuant to this Section if
19 the subsequent owner wishes to continue to accommodate
20 patrons' dogs.

21 ~~(e) A permit issued pursuant to this Section shall expire on July~~
22 ~~1, 2009 unless extended by ordinance of the City Council upon~~
23 ~~the extension or reenactment of F.S. § 559.233.~~

24 (e)-(f) Allowing a dog in any outdoor portion of a public food
25 service establishment, except when otherwise authorized by
26 law or this Chapter, or the failure to comply with any portion
27 of this ordinance, shall be unlawful, and any person
28 committing such a violation shall be guilty of a Class A
29 offense.

30 (f)-(g) The Municipal Code Compliance Division of the Neighborhoods
31 Department, shall establish a procedure to accept, document,

1 and respond to citizen complaints and to timely report to the
2 appropriate State of Florida division or agency all such
3 complaints and the participating local governments'
4 enforcement responses to such complaints. The Municipal Code
5 Compliance Division of the Neighborhoods Department shall be
6 responsible for monitoring enforcement of this Chapter.

7 * * *

8 **Section 2. Codification Instructions.** The Codifier and the
9 Office of General Counsel are authorized to make all chapter and
10 division "tables of contents" consistent with the changes set forth
11 herein. Such editorial changes and any others necessary to make the
12 *Ordinance Code* consistent with the intent of this legislation are
13 approved and directed herein, and changes to the *Ordinance Code* shall
14 be made forthwith and when inconsistencies are discovered.

15 **Section 3. Effective Date.** This Ordinance shall become effective
16 upon signature by the Mayor or upon becoming effective without the
17 Mayor's signature.

18
19 Form Approved:

20
21 /s/ Laura C. Hartung

22 Office of General Counsel

23 Legislation Prepared by: Laura C. Hartung

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