

1 Introduced by Council Member Arias and amended on the Floor of
2 Council:

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5 **ORDINANCE 2025-866-E**

6 AN ORDINANCE AMENDING SECTION 165.102 (PRESENCE
7 OF DOGS IN OUTDOOR PORTIONS OF PUBLIC FOOD
8 SERVICE ESTABLISHMENTS), CHAPTER 165 (PUBLIC
9 FOOD SERVICE ESTABLISHMENTS), *ORDINANCE CODE*, TO
10 SUBSTITUTE THE PLANNING AND DEVELOPMENT
11 DEPARTMENT AS THE ENTITY RESPONSIBLE FOR
12 PROCESSING APPLICATIONS MADE UNDER THIS SECTION
13 AND TO REMOVE FEE; PROVIDING FOR CODIFICATION
14 INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

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

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

23 **CHAPTER 165 - PUBLIC FOOD SERVICE ESTABLISHMENTS**

24 *******

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

- 27 (a) Public food service establishments desiring to allow patrons'
28 dogs to sit next to such patrons in the outdoor portion of
29 such eating establishments may apply to, and receive a permit
30 from the Planning and Development Department. No fee shall be
31 charged for the application for or issuance of a permit issued

1 under this Section., ~~the City Council.~~

2 (b) Applicants shall provide, on a form developed by the Current
3 Planning Division of the Planning and Development Department,
4 such information as is deemed reasonably necessary to enforce
5 the provisions of this Section, but which shall require, at
6 a minimum, the following information:

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

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

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

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

28 (c) All public food service establishments receiving a permit
29 under this Section shall ~~pay a fee as provided in Section~~
30 ~~656.147(a)(23),~~ and meet the following requirements, in
31 addition to those requirements otherwise provided by law:

- 1 (1) All public food service establishment employees shall
2 wash their hands promptly after touching, petting, or
3 otherwise handling dogs. Employees shall be prohibited
4 from touching, petting, or otherwise handling dogs while
5 serving food or beverages or handling tableware or
6 before entering other parts of the public food service
7 establishment.
- 8 (2) Patrons in a designated outdoor area shall be advised
9 that they should wash their hands before eating.
10 Waterless hand sanitizer shall be provided at all tables
11 in the designated outdoor area.
- 12 (3) Employees and patrons shall be instructed that they
13 shall not allow dogs to come into contact with serving
14 dishes, utensils, tableware, linens, paper products, or
15 any other items involved in food service operations.
- 16 (4) Patrons shall keep their dogs on a leash at all times
17 and shall keep their dogs under reasonable control.
- 18 (5) Dogs shall not be allowed on chairs, tables, or other
19 furnishings.
- 20 (6) All table and chair surfaces shall be cleaned and
21 sanitized with an approved product between seating of
22 patrons. Spilled food and drink shall be removed from
23 the floor or ground between seating of patrons.
- 24 (7) Accidents involving dog waste shall be cleaned
25 immediately and the area sanitized with an approved
26 product. A kit with the appropriate materials for this
27 purpose shall be kept near the designated outdoor area.
- 28 (8) A sign or signs reminding employees of the applicable
29 rules shall be posted on premises in a manner and place
30 as determined by the local permitting authority.
- 31 (9) A sign or signs reminding patrons of the applicable

1 rules shall be posted on premises in a manner and place
2 as determined by the local permitting authority.

3 (10) A sign or signs shall be posted in a manner and place
4 as determined by the local permitting authority that
5 places the public on notice that the designated outdoor
6 area is available for the use of patrons and patrons'
7 dogs. For purposes of this subsection the public food
8 service establishment shall, at a minimum, post a sign
9 (either horizontal or vertical), as depicted in Figures
10 1(a) and 1(b) below, at each entrance to the patio
11 available for use of patrons and patrons' dogs.
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14 Figure 1(a). Vertical sign
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Figure 1(b). Horizontal sign

(11) The sign or signs required under this Section shall be of a size approved by the Planning and Development Department but in no event shall any sign be smaller than 8 inches by 10 inches.

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

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

~~(e) A permit issued pursuant to this Section shall expire on July 1, 2009 unless extended by ordinance of the City Council upon~~

~~the extension or reenactment of F.S. § 559.233.~~

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

~~(f)-(g)~~ The Municipal Code Compliance Division of the Neighborhoods Department, shall establish a procedure to accept, document, and respond to citizen complaints and to timely report to the appropriate State of Florida division or agency all such complaints and the participating local governments' enforcement responses to such complaints. The Municipal Code Compliance Division of the Neighborhoods Department shall be responsible for monitoring enforcement of this Chapter.

~~(g)~~ The Planning and Development Department shall provide the appropriate State of Florida division or agency with a copy of all approved applications and permits issued.

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

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

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared by: Laura C. Hartung

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