



CITY COUNCIL COMMUNICATION

November 10, 2015

SUBJECT: Amend the City of Euless Code of Ordinances, Chapter 42, Article I, "Food Establishments," and Chapter 30, "Fees," to Create a Variance Process Authorizing Food Establishments to Allow Dogs in Outdoor Dining Areas

SUBMITTED BY: Mike Collins, Director of Planning and Economic Development

REFERENCE NO: Ordinance No. 2094

ACTION REQUESTED:

Consider First and Final Reading of Ordinance No. 2094 amending Chapter 42, Article I, "Food Establishments," and Chapter 30, "Fees," to create a variance process authorizing food establishments to allow dogs in outdoor dining areas pursuant to Title 25, Section 229.171(C) of the Texas Administrative Code.

ALTERNATIVES:

- Approve the request with modifications
- Table the request
- Deny the request

SUMMARY OF SUBJECT:

In the interests of an expanding and innovations in restaurant types and styles, the City of Euless proposes to enact an ordinance which would grant food establishments the ability to formally request a variance that would allow customers to bring dogs onto a patio of the food establishment during business hours. Typically, food establishments/restaurants would not allow dogs and other pets within a food service environment for sanitary reasons.

The State of Texas through the Texas Administrative Code, allows municipalities to enact ordinances which establish variances to certain health codes to create a dog-friendly environment within an outdoor patio.

The attached ordinance, if enacted, establishes the variance process and the conditions under which dogs could be permitted within the patio.

The conditions proposed are:

- Dogs would be prohibited within the interior of the food establishment.
- A separate entrance to the outdoor patio would be provided so that dogs may enter and dogs would not be allowed within seven (7') feet of the door to the interior of the food establishment.
- Appropriate signage designating where dogs may or may not be located is to be installed.
- Doors from the patio to the interior of the food establishment must be self closing.
- No food preparation, including mixing drinks may be performed on the patio.
- Hand sanitizer shall be made available at all entrances.
- A specific cleaning schedule at least every six hours must be maintained for the patio. Any waste from the dogs must be cleaned up with animal friendly chemicals within five (5) minutes of each occurrence.
- Wait staff may not interact with the dogs.
- Dogs must be kept on leashes and remain in control of the owner.
- Dogs must stay on the ground.
- Dogs cannot interact with utensils, plates or other food service implements.
- Dogs may not be given any food in the patio area, but may be given water in a disposable container or a container provided by the owner.
- The food establishment must notify Animal Control of any incidents between dogs or other persons which might constitute a rabies control incident.

The intent of this ordinance is not to establish these conditions on all food establishments in the City of Euless, but to provide any food establishment the opportunity to apply for the variance and accept these conditions if granted a variance to the Texas Administrative Code. A fee would also be established for the variance process. Any variance applied for would be reviewed by City Staff and if found appropriate, granted administratively.

Staff recommends approval of the Ordinance amendment.

SUPPORTING DOCUMENTS:

- Ordinance No. 2094

APPROVED BY:

_____ **LG** _____

City Manager's Office

_____ **KS** _____

City Secretary's Office