



Orange County Zoning Division

**BCC Public Hearing
Amendment to Chapter 38:
Dog Friendly Dining**

October 16, 2018



Presentation Outline

- Overview
- Breakdown of Statute
- LPA/PZC Amendments
- Requested Action



Source: Bucks Chicago



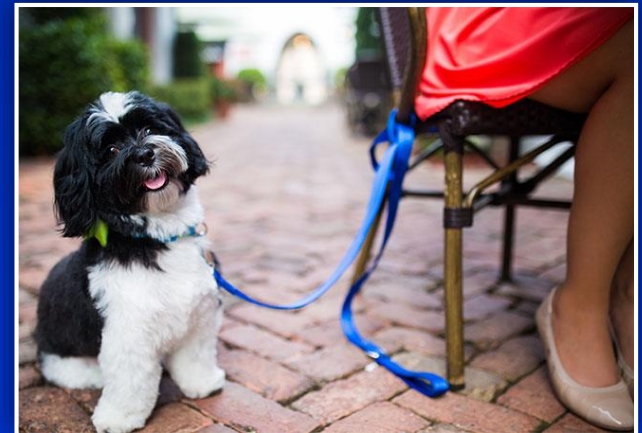
Source: Santa Cruz Life

Overview

- BCC Work Session, June 5, 2018
- LPA/PZC Work Session, June 21, 2018
- LPA/PZC Public Hearing, July 19, 2018



Source: Naples Daily News



Source: Visit Orlando

Overview

- BCC public hearing, September 18, 2018 at 5:01pm
- No action taken
- 1st of 2 public hearings



Source: Naples Daily News



Source: Visit Orlando



Breakdown of Statute

- **Sec. 509.233, Florida Statutes, allows the County to adopt an exemption to the State's regulations regarding dogs at public food service establishments:**
 - For dogs only;
 - Only for designated outdoor areas;
 - Exemption shall be by amendment of the land development code;
 - Must be allowed only by permit;
 - Ordinance shall include, at minimum, eleven (11) regulations and limitations provided by the Statute; and
 - The County must submit permits and report complaints regarding the exemption to the State.



Breakdown of Statute



Source: ARLNow.com



Source: Surf Dog Ricochet

Permitting (Non-Transferrable) (§509.233(3)(b), F.S.)

Establishment Information

Applicant Information

Diagram and Description of “Designated Dog-Friendly Area”

Days of the week and hours of operation that dogs will be permitted to use the designated area.

Regulations and Limitations (11) (§509.233(3)(c), F.S.)

As this is an exemption from a food-related health code, these requirements are mainly sanitary in nature.

The codes across jurisdictions are substantially similar due to the stringent requirements of §509.233(3)(c), F.S.



LPA/PZC Amendments

- **LPA/PZC requested changes to draft ordinance:**
 - Definition of employee(s);
 - Clarification on attacks to live animals;
 - Clarification on contact with dishes for dogs;
 - Clarified responsibility for enforcement; and
 - Added revocation of permit language.



Requested Action

- Amend the fee schedule to include the application and late payment renewal fees (\$46 application, \$25 late payment);
- Allow staff to correct any non-substantial grammatical or scrivener's errors; and
- Make a finding of consistency with the Comprehensive Plan and adopt the ordinance amending Chapter 38 regarding Dog Friendly Dining (subject to the changes in the following slide) and providing an effective date.



Requested Action

Line No.	Current	Requested Change
162	Payment of a non-refundable application fee of <u>forty-six dollars (\$46.00)</u> .	Payment of a non-refundable application fee of <u>an amount set by the Orange County Board of County Commissioners</u> .
258-261	Failure to obtain a current permit within five (5) days of a previous permit's expiration will require a late fee payment <u>of twenty-five (\$25.00) for the new permit in addition to the permit fee</u> .	Failure to obtain a current permit within five (5) days of a previous permit's expiration will require a late fee payment <u>in an amount set by the Orange County Board of County Commissioners</u> .
270-271	In accordance with section 509.233(<u>6</u>), Florida Statutes...	In accordance with section 509.233(<u>5</u>), Florida Statutes...
276-278	The county shall also provide the DHR with a copy of all approved applications and permits issued <u>on a quarterly basis</u> .	The county shall also provide the DHR with a copy of all approved applications and permits issued.
325-326	Section 4. Effective date. This ordinance shall take effect on <u>MONTH, YEAR</u> .	Section 4. Effective date. This ordinance shall take effect on <u>November 9, 2018</u> .



Section 509.233(3)(c), Florida Statutes

(c) In order to protect the health, safety, and general welfare of the public, the local exemption ordinance shall include such regulations and limitations as deemed necessary by the participating local government and shall include, but not be limited to, the following requirements:

1. All public food service establishment employees shall 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.



Section 509.233, Florida Statutes

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.



Section 509.233, Florida Statutes

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.
10. A sign or signs shall be posted in a manner and place as determined by the local permitting authority that places the public on notice that the designated outdoor area is available for the use of patrons and patrons' dogs.
11. Dogs shall not be permitted to travel through indoor or nondesignated 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.