



Legislation Text

File #: 120152., **Version:** 1

TEXT CHANGE - ALLOW PATRONS' DOGS WITHIN OUTDOOR PORTIONS OF EATING PLACES (B)

Ordinance No. 120152; Petition No. PB-12-53 TCH

An ordinance of the City of Gainesville, Florida, amending the Land Development Code and the Code of Ordinances by establishing a permitting procedure, regulations and permit fee to allow patrons' dogs within outdoor portions of eating places; by creating Section 30-122 Patrons' dogs within outdoor portions of eating places; by creating a permit fee within Appendix A-Schedule of Fees, Rates and Charges; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT REPORT

This ordinance establishes a permitting procedure and fee for eating places that wish to allow patrons' dogs within certain designated outdoor portions of their establishments. Generally, the State Food and Drug Administration Food Code prohibits dogs (other than service dogs) from entering the indoor or outdoor premises of public food service establishments. However, state law allows local governments to adopt an exemption allowing dogs in limited designated outdoor seating areas.

This ordinance will apply only to those eating places that wish to provide this service. Such establishments must obtain a permit from the City and comply with certain requirements. Generally, the permit requires applicants to submit contact information, a diagram and description of the outdoor area, the hours of operation, and imposes operational requirements.

This issue was reviewed by the Community Development Committee and upon its recommendation, the City Commission on April 5, 2012, directed staff to initiate a petition to the City Plan Board.

Public notice was published in the Gainesville Sun on May 8, 2012. On May 24, 2012, the City Plan Board held a public hearing and, by a vote of 4-1, recommended approval of the petition. The City Commission held a public hearing on August 2, 2012 and approved the petition by a vote of 7-0.

CITY ATTORNEY MEMORANDUM

This ordinance requires two readings.

