



## CITY OF SEGUIN

### PLANNING AND CODES DEPARTMENT

205 North River Street

Seguin, Texas 78155

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#### **Application for a Variance for Food Service Establishments Seeking to Permit Dogs in Outdoor Eating Areas**

1. Establishment Name: \_\_\_\_\_
  
2. Address: \_\_\_\_\_
  
3. Contact Name: \_\_\_\_\_
  
4. Contact Phone Number: \_\_\_\_\_ FAX Number: \_\_\_\_\_
  
5. E-Mail: \_\_\_\_\_

A food service establishment may apply to the Department of Planning and Codes, for a variance to allow dogs in outdoor dining areas of the food establishment as set forth in Section 22032 and 22-33 of the Seguin Code of Ordinances. This application must be accompanied by a non-refundable application fee of \$25.00 (Twenty Five Dollars). If granted the variance certificate may be renewed annually upon payment of an annual fee to be paid at the same time as the renewal of the food service establishment's annual permit.

An operator, which includes for purpose of this section, owner, officer, manager or other person in charge of a food service establishment commits an offense if he, either personally or through an employee or agent, violates, allows a violation of, or fails to comply with a term or condition of a variance granted under this section.

A food service establishment granted a variance under this section shall comply with all other applicable federal and state laws and regulations including the Texas Food Establishment Rules and the local provisions of the Seguin Code of Ordinances.

If pursuant to this section the environmental health supervisor grants a variance for the purpose of allowing dogs in an outdoor dining area of a food establishment the food establishment shall comply with the following conditions and standards in addition to any other conditions and standards established by the environmental health supervisor for the variance:

- a. No dog may be present inside the food service establishment or any playground area of the food service establishment at any time.
- b. A separate entrance must be provided from the outside of the food establishment to the outdoor patio so that a dog will have direct access to the patio without entering the interior of the food establishment or any playground area of the food establishment. A dog on an outdoor patio may not be allowed within seven feet of any entrance to the interior of the food establishment, except when necessary to enter or exit the patio.
- c. A sign must be posted at the front entrance of the food establishment so that it is easily visible to the public. The sign must state: "DOG FRIENDLY PATIO (with an arrow showing the direction to the patio entrance) DOG ACCESS ONLY THROUGH PATIO AREA.
- d. No food preparation may be performed in the outdoor patio area.
- e. The food service establishment shall have hand sanitizer available at or near all entrances and exits to the patio and bags for dog waste available at or near all entrances and exits to the outdoor patio area.
- f. While on duty, wait staff or other food handlers at the food establishment may not pet or have contact with any dog.
- g. A dog must be kept on a leash and remain in the control of the customer while in the outdoor patio area. The dog must be currently vaccinated for rabies and wearing a collar or harness with a current license tag attached to it, when applicable.
- h. A dog is not allowed on a seat, table, countertop, or similar surface in the outdoor patio area.
- i. A dog is not allowed to have contact with any dishes or utensils used for food service or preparation at the food establishment.
- j. A dog may not be given any food, including but not limited to, dog kibble, biscuits and edible treats, while in the outdoor eating area, but may be given water in a disposable container or from a container provided by the customer.
- k. The outdoor patio must be continuously maintained free of visible dog hair, dog dander, and other dog-related waste or debris. Waste created from a dog's bodily functions must be cleaned up with animal friendly chemicals within five minutes after each occurrence. All dog waste must be disposed of outside of the food establishment in an appropriate waste receptacle. Equipment used to clean the outdoor patio must be kept outside of the food establishment.

I hereby certify that the above named food service establishment will comply with the above conditions and standards, and any other conditions and standards established by the environmental health supervisor for the variance (as set out below). I also understand that dogs are not allowed on the patio until this variance request is approved. If the variance request is approved and the permit holder/person-in-charge fails to comply with the standards and conditions established by the environmental health supervisor, the environmental health supervisor reserves the authority to revoke the variance.

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Applicant Name (Print)	Signature	Date

Date Received: \_\_\_\_\_

Payment Received: \_\_\_\_\_

Inspection conducted on: \_\_\_\_\_

Variance: \_\_\_\_\_ Granted

\_\_\_\_\_ Denied

Reason(s) for denial: \_\_\_\_\_

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Additional Conditions and Standards: