



Ohio Administrative Code

Rule 3717-1-08.5 Dogs in outdoor dining areas of food service operations and retail food establishments.

Effective: October 3, 2019

(A) As used in this rule, "outdoor dining area" means an area adjacent to a food service operation or retail food establishment that is located outdoors and is designated for service and/or consumption of food, including an "outdoor patio" as defined in section 3794.01 of the Revised Code.

(B) A food service operation or retail food establishment may allow dogs in an outdoor dining area of the food service operation or retail food establishment. If the dog is a service animal as defined in paragraph (B) of rule 3717-1-01 of the Administrative Code, no food service operation or retail food establishment shall refuse to allow the dog in the outdoor dining area unless such refusal is authorized under federal and state laws governing service animals.

(C) A food service operation or retail food establishment that allows dogs in an outdoor dining area shall:

(1) Conspicuously post signs near all entrances to the food service operation or retail food establishment and all entrances to the outdoor dining area that contain at least the following:

(a) Notification that the food service operation or retail food establishment allows dogs in outdoor dining areas; and

(b) Notification that dogs shall access the outdoor dining area only through an outdoor entrance.

(2) Provide an outdoor entrance into the outdoor dining area and prohibit dogs from entering the outdoor dining area through any indoor areas of the food service operation or retail food establishment;

(3) Prohibit employees of the food service operation or retail food establishment from intentionally contacting dogs while working;



- (4) Prohibit dogs from being within five feet of areas located in an outdoor dining area of a food service operation or retail food establishment that are used for food preparation or for storage of food, equipment, utensils, single use items and single use articles;
- (5) Prohibit dogs from sitting, standing, or lying on chairs, seats, benches, counter tops, tables and other furnishings in the outdoor dining area;
- (6) Have cleaning supplies and materials readily available to clean up dog hair, feces, urine, vomit and other debris; and
- (7) Adopt a written policy that contains at least the following:
- (a) Requirements for patrons with a dog in the outdoor dining area of a food service operation or retail food establishment to properly control their dog with a leash or other effective means;
 - (b) Instructions for promptly cleaning up dog hair, feces, urine, vomit, and other debris; and
 - (c) Requirements for the proper vaccination of all dogs permitted in the outdoor dining area of a food service operation or retail food establishment in accordance with state or local laws.
- (D) Food shall not be provided to dogs in outdoor dining areas of food service operations and retail food establishments, but water may be provided to dogs in single-use disposable containers.
- (E) Employees of a food service operation or retail food establishment shall wash their hands using procedures described in paragraph (B) of rule 3717-1-02.2 of the Administrative Code after contacting a dog, watering a dog, or cleaning dog hair, feces, urine, vomit or other debris.
- (F) During a public health emergency, the director of health may prohibit dogs from entering outdoor dining areas of food service operations and the director of agriculture may prohibit dogs from entering outdoor dining areas of retail food establishments.