

2SSB 5859 - S AMD TO S AMD (S-2706.1/07) 208
By Senator Jacobsen

OUT OF ORDER 03/12/2007

1 On page 42, after line 16 of the amendment, insert the following:

2 NEW SECTION. **Sec. 24.** The state board of health shall establish
3 a pilot project by which local government can apply for an exemption
4 from certain food and drug administration food code sections to allow
5 dogs within certain designated outdoor portions of premises holding a
6 spirits, beer, and wine restaurant license or a beer and/or wine
7 restaurant license or certain designated outdoor portions of premises
8 whose main business purpose is selling coffee.

9 NEW SECTION. **Sec. 25.** (1) The governing body of a local
10 government participating in the pilot project is authorized to
11 establish, by ordinance, a local exemption procedure to section
12 6-501.115, 2001 food and drug administration food code.

13 (2) The adoption of the local government exemption procedure shall
14 be at the sole discretion of the governing body of the participating
15 local government.

16 NEW SECTION. **Sec. 26.** (1) Any local exemption procedure adopted
17 under this act shall only provide a variance to section 6-501.115, 2001
18 food and drug administration food code, to allow patrons' dogs within
19 certain designated outdoor portions of the establishments designated in
20 section 24 of this act.

21 (2) In order to protect the health, safety, and general welfare of
22 the public, the local exemption procedure shall require participating
23 establishments to apply for and receive a permit from the local public
24 health department before allowing patrons' dogs on their premises. The
25 local public health department shall require such information from the
26 applicant as the department determines reasonably necessary to enforce
27 the provisions of this act but shall require, at a minimum, the
28 following information:

1 (a) Name, location, and mailing address of the establishment;

2 (b) Name, mailing address, and telephone contact information of the
3 permit applicant;

4 (c) A diagram and description of the outdoor area to be designated
5 as available to patrons' dogs, including dimensions of the designated
6 area; a depiction of the number and placement of tables, chairs, and
7 restaurant equipment, if any; the entryways and exits to the designated
8 outdoor areas; the boundaries of the designated area and of other areas
9 of outdoor dining not available for patrons' dogs; any fences or other
10 barriers; surrounding property lines and public rights-of-way,
11 including sidewalks and common pathways; and such other information
12 reasonably required by the local department of health; and

13 (d) A description of the days of the week and hours of operation
14 that patrons' dogs will be allowed in the designated outdoor area.

15 (3) In order to protect the health, safety, and general welfare of
16 the public, the local exemption ordinance shall include such
17 regulations and limitations as deemed necessary by the participating
18 local government and shall include at least the following requirements:

19 (a) All employees of the establishments participating in the pilot
20 shall wash their hands immediately after touching, petting, or
21 otherwise handling dogs. Employees are prohibited from touching,
22 petting, or otherwise handling dogs while serving food or beverages or
23 handling tableware or before entering other parts of the establishment;

24 (b) Patrons in a designated outdoor area shall be advised that they
25 should wash their hands before eating. Waterless hand sanitizer shall
26 be provided at all tables in the designated outdoor area;

27 (c) Employees and patrons shall be instructed that they shall not
28 allow dogs to come into contact with serving dishes, utensils,
29 tableware, linens, paper products, or any other items involved with
30 food service operations;

31 (d) Patrons shall ensure their dogs are licensed by the appropriate
32 authority, keep their dogs on a leash at all times, and keep their dogs
33 under reasonable control;

34 (e) Dogs shall not be allowed on chairs, tables, or other
35 furnishings;

36 (f) All table and chair surfaces shall be cleaned and sanitized
37 with an approved product between seating of patrons. Spilled food and

1 drink shall be removed from the floor or ground between seating of
2 patrons;

3 (g) Accidents involving dog waste shall be cleaned immediately and
4 the area sanitized with an approved product. A kit with the
5 appropriate materials for this purpose shall be kept near the
6 designated outdoor area;

7 (h) A sign or signs reminding employees of the applicable rules
8 shall be posted on the premises in a manner and place as determined by
9 the local department of health; and

10 (i) A sign or signs shall be posted in a manner and place as
11 determined by the local permitting authority that places the public on
12 notice that the designated outdoor area is available for the use of
13 patrons and patrons' dogs.

14 NEW SECTION. **Sec. 27.** The participating local public health
15 departments shall have such powers as are reasonably necessary to
16 regulate and enforce this act.

17 NEW SECTION. **Sec. 28.** The state board of health shall develop
18 rules to implement this act.

19 NEW SECTION. **Sec. 29.** Sections 24 through 28 of this act expire
20 June 30, 2010."

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21 On page 42, line 22 of the title amendment, after "66.24 RCW;"
22 insert "creating new sections;"

23 On page 42, line 23 of the title amendment, strike "an expiration
24 date" and insert "expiration dates"

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