

Introduction

The intent of the policy is to provide environmental health officers (EHO) and operators of food service establishments with a consistent framework for allowing pet dogs into outdoor dining areas in a manner that protects the health and safety of customers.

An operator is not required to allow pet dogs into their outdoor dining area. Also, an operator may choose to allow only certain types of pet dogs if this policy is followed.

Background

An operator of a food service establishment has a duty to accommodate a person with a disability who requires a guide or service dog regardless of whether the dog is certified according to requirements in the [Guide Dog and Service Dog Act](#). The B.C. [Human Rights Code](#) protects people with disabilities who rely on guide and service dogs even if the animal is not formally certified. The *Human Rights Code* prevails over other laws in the province. **This policy on pet dogs on outdoor dining areas does not apply to guide and service dogs.**

An operator of a food service establishment may permit an animal on the premises, if an EHO determines that the animal will not pose a risk of a health hazard occurring on the premises ([Food Premises Regulation](#) section 25). However, in practice, pet dogs have not routinely been allowed into outdoor dining areas.

Members of the public are increasingly requesting that pet dogs be allowed into outdoor dining areas of food service establishments. Other jurisdictions, such as New York City and the State of California, are used as models for B.C. in allowing pet dogs into outdoor dining areas.

Food Safety Legislative Framework

[Public Health Act](#): Section 18

[Food Premises Regulation](#) (under the *Public Health Act*): Sections 12, 16, 17, 23 and 24

[Food Safety Act](#): Sections 2 and 3

Policy

An operator of a food service establishment is responsible for food safety in their establishment. An operator must have care and control of the safety of all food contact surfaces in the outdoor dining area ([Food Premises Regulation \(FPR\)](#) sections 16 and 17; *Food Safety Act*, sections 2 and 3). An operator is also responsible for ensuring that each employee exhibits cleanliness and good personal hygiene ([Food Premises Regulation](#) section 21).

Procedures

By following these procedures, an operator is likely to avoid causing a health hazard and can generally comply with their obligations under the [Food Premises Regulation](#). Before allowing pet dogs into an outdoor dining area, an operator must:

1. Update the establishment's sanitation plan to reflect an operator's responsibilities around sanitation procedures. The plan must be submitted to and approved by an EHO before pet dogs are allowed into outdoor dining areas.
2. Ensure food or drinks are not prepared, nor any utensils stored, in the outdoor dining areas.
3. Provide a separate entrance where a pet dog can enter without going through any indoor areas of the establishment to reach the outdoor dining area.
4. Ensure a pet dog is under the control of its owner using a leash, harness or carrier and kept at ground level at all times. In addition, the operator should post a sign at the entrance to the outdoor dining area, stating, *"Dogs are permitted in outdoor dining areas and owners are responsible for controlling their dogs at all times"*.
5. Ensure a pet dog does not eat or drink from the establishment's reusable dishware or utensils.
6. Ensure surfaces that have been contaminated by animal waste (e.g., feces, urine or vomit) or other by-product are cleaned and sanitized immediately by staff of the establishment in an area separate from the establishment's dishwashing area.
7. Require any employee who comes into contact with a pet dog, its accessories, serving containers for the pet dog or animal waste wash their hands before undertaking any of their regular work duties. An employee's hygiene instructions must address hand washing after handling or dealing with a pet.
8. Ensure employee clothing is free of dog dander, fur or body fluids.

Operators should familiarize themselves with local bylaws, where applicable, that limit certain breeds of dog from being in public without a muzzle or prohibit pets on outdoor dining areas.

References

B.C. *Food Safety Act* [SBC 2002] Chapter 28

B.C. *Guide Dog and Service Dog Act* [SBC 2015] Chapter 17

B.C. Human Rights Code [RSBC 1996] Chapter 210

B.C. *Public Health Act* [SBC 2008] Chapter 28

B.C. *Public Health Act*, Food Premises Regulation. B.C. Reg. 210/99

California *Health and Safety Code* – HSC (Effective January 1, 2015)

https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=114259.5.

New York City Health: *New "Dining with Dogs" Rule: What Restaurants Need to Know*

<https://www1.nyc.gov/assets/doh/downloads/pdf/rii/dog-dining-factsheet.pdf>