



Variance For Dogs On Patio Application

Permit #: _____ Date: _____

6800 Main Street, The Colony, TX 75056
Phone 972-624-3158 Fax 972-624-2229

Incomplete application and/or submittal will delay the review process.

Establishment Name: _____

Address: _____

Owner Name: _____ Contact Name: _____

Contact Number: _____ Email: _____

Pursuant to Section 6-170, a food establishment may apply to regulatory authority for a variance for Section 5-4 of the City of The Colony Code of Ordinances which prohibits animals on the premise of a food establishment. **The application must be submitted with a non-refundable pre-operational fee of \$150, and a site plan of the facility. An inspection will be conducted to determine compliance with the conditions of the requested variance. The variance shall expire December 31st of each year once it is granted by the health authority, unless it is revoked by the health authority or terminated by the food establishment.**

If pursuant to Section 6-170 the regulatory authority grants a variance to Section 5-4 to allow dogs to be present in the outdoor patio area of a food establishment, the food establishment shall comply with the following conditions to ensure that a health hazard or nuisance will not result from the modification of the waiver.

Patio/Deck Design and Cleaning

- 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 may not be allowed within seven (7) feet of any entrance to the interior of the food establishment, except when necessary to enter or exit the patio.
- Doors equipped with self-closing devices must be provided at all entrances to the outdoor patio from the interior of the food establishment, and must be kept closed when not in use.
- The outdoor patio must be continuously maintained free of visible dog hair, dog dander, and other dog-related waste or debris. The outdoor patio must be hosed down or mopped with an approved product at the beginning of each shift during which food or beverages will be served (breakfast, lunch, dinner, or late-hours), except that cleaning under this subparagraph is not required if no dog has been present on the outdoor patio since the last cleaning.
- All table and chair surfaces shall be non-porous, easily cleanable material and cleaned and sanitized with an approved product.

- Spilled food and drink shall be removed from the floor or ground within five (5) minutes of the spill.
- Waste created from a dog's bodily functions must be cleaned up with an approved product within five (5) 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.

Signage/Records

- 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 - DOG ACCESS ONLY THROUGH OUTDOOR PATIO.”**
- A card, sign, or other effective means of notification shall be displayed to notify patrons in the outdoor patio area that they should wash their hands before eating.

Sanitation/ Dog Behavior

- No food preparation, including mixing drinks or serving ice, may be performed in the outdoor patio area, except that a beverage glass may be filled on the patio from a pitcher or other container that has been filled or otherwise prepared inside the food establishment.
- While on duty, wait staff or other food handlers at the food establishment may not pet or have contact with any dog.
- A dog must be kept on a leash, or in a secure bag or container specifically designed to carry and provide continuous restraint of dogs while providing adequate ventilation, and remain under continuous physical control of the customer while in the outdoor patio area. The dog must be wearing a collar or harness with a current rabies tag attached to it.
- A dog is not allowed on a seat, table, countertop, or similar surface in the outdoor patio area.
- A dog is not allowed to have contact with any dishes or utensils used for food service or preparation at the food establishment.
- A dog may not be given any food (including, but not limited to, dog kibble, biscuits, and edible treats) while in the outdoor patio area, but may be given water in a disposable container.
- The food establishment shall maintain written procedures to notify the City of The Colony Animal Services Division of any local rabies control incident as required by section 5-13 of this Code, or any other incident in which two (2) or more dogs are involved in any sort of altercation where they physically come into contact with each other, regardless of whether any of the animals are injured.”

Briefly document what measures are being taken to address the following issues/concerns:

- Food/Drink Preparation & Prevention of Cross-Contamination:

- Patio Construction & Cleaning Procedures:

- Dog Friendly Chemicals Being Used:

Additional conditions and standards established by the regulatory authority for the variance to prevent health hazards.

I hereby certify that the above named food establishment will comply with the above conditions and standards and any other conditions and standards that may be established by the regulatory authority for this variance.

I understand that dogs are not allowed on the patio(s) 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 regulatory authority, the regulatory authority may revoke the variance.

I also understand this variance is non-transferable and is valid only at the location listed on this application.

Applicant Name (Print)

Applicant Signature

Date

OFFICE USE ONLY

Date Received: _____ Receipt Number: _____ Payment Type: _____

Inspection Conducted By: _____ Date: _____

Variance Granted Signature: _____ Date: _____

Variance Denied Signature: _____ Date: _____

Reason (s) for Denial:
