

1 Brianne K. Nadeau

2 Councilmember Brianne Nadeau

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4 Brandon T. Todd

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6 Councilmember Brandon T. Todd

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8 Charles Allen

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17 A BILL

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22 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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27 To enable, on an emergency basis, food establishments to permit dogs in outdoor dining areas and  
28 unenclosed sidewalk cafés.

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30 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
31 act may be cited as the “Dining with Dogs Emergency Act of 2017”.

32 Sec. 2. Definitions.

33 For the purposes of this act, the term:

34 (1) “Carrier” means a crate designed for carrying dogs or a front-pack or  
35 backpack designed to safely carry a dog.

36 (2) “Food establishment” means any business that offers outdoor seating and sells  
37 food for consumption on its premises.

38 (3) "Leash" means a line held by a person on one end that is for leading or  
39 restraining a dog.

40 (4) "Outdoor dining area" means an outdoor area on private property where food  
41 is served by a food establishment.

42 (5) "Unenclosed sidewalk café" means any authorized use of public space  
43 adjacent to a food establishment that contains tables, chairs, railings, or planters, which is open  
44 to the sky and at the sides, but may include awnings or umbrellas, and which is able to be  
45 removed within a 24-hour period.

46 (6) "Waste bag" means a plastic bag designed for disposing of dog excrement.

47 Sec. 3. Outdoor dining with dogs.

48 (a)(1) Notwithstanding any District law or regulation to the contrary, a food  
49 establishment may elect to permit dogs in outdoor dining areas or designated portions thereof, or  
50 in unenclosed sidewalk cafés.

51 (2) A food establishment permitting dogs may restrict types of dogs based on a  
52 dog's breed, size, or temperament.

53 (b) A food establishment that permits dogs in outdoor dining areas or unenclosed  
54 sidewalk cafés shall:

55 (1) Post signage outside the food establishment clearly stating dogs are permitted  
56 in outdoor dining areas of the food establishment or unenclosed sidewalk café adjacent to the  
57 food establishment, along with any restrictions on dogs based on breed, size, or temperament;

58 (2) Provide a separate entrance to any outdoor seating areas or unenclosed  
59 sidewalk cafés that does not open into an indoor seating area;

60 (3) Provide patrons with waste bags and a sanitary means of disposing waste  
61 bags;

62 (4) Meet the requirements of 25A DCMR 503.1, ensuring that food employees do  
63 not care for or handle dogs;

64 (5) Require a patron to keep his or her dog in a carrier or on a leash at all times;  
65 and

66 (6) Prohibit a patron from leaving his or her dog unattended.

67 (d) A food establishment may require patrons to take the dog off the food establishment's  
68 premises or away from the food establishment's unenclosed sidewalk café.

69 (e) Nothing in this act shall be construed to prevent live animals, as described in 25A  
70 DMCR 3214.2(b) and (c), from having access to food establishments.

71 Sec. 4. Fiscal impact statement.

72 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact  
73 statement required by section 4a of the General Legislative Procedures Act of 1975, approved  
74 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

75 Sec. 5. Effective date.

76 This act shall take effect following approval by the Mayor (or in the event of veto by the  
77 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
78 90 days, as provided for emergency acts of the Council of the District of Columbia in section  
79 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
80 D.C. Official Code § 1-204.12(a)).