

Provided by Howard County Food Protection Program

(Code of Maryland Regulations COMAR 10.15.03.23A12-B(5), regarding animals in food service facilities in Maryland.

- A. The person-in-charge shall ensure that: (12) Live birds and animals are not present on the premises of a food service facility except for:
- (a) Edible fish, shellfish, crustacea, or decorative fish in aquariums or display tank systems;
 - (b) Service animals that are controlled by the individual with a disability;
 - (c) Pets in the common dining areas of health care facilities at times other than during meals if:
 - (i) Effective partitioning and self-closing doors separate the common dining areas from food storage and food preparation areas;
 - (ii) Condiments, equipment, and utensils are stored in enclosed cabinets or removed from the common dining area when pets are present; and
 - (iii) Dining areas including tables and countertops are cleaned and sanitized before the next meal service; and
 - (d) A patron's dog in an outdoor dining area of a food service facility in conformance with applicable State and local laws, ordinances, and regulations.
- B. Patrons' Dogs in Outdoor Dining Areas.
- (1) Subject to the requirements of §§B(2)—(5) of this regulation, an owner of a restaurant may allow a patron's dog to accompany the patron in the outdoor dining area during the hours designated by the restaurant.
 - (2) Before an owner may allow a patron's dog to accompany the patron in the outdoor dining area, the owner shall:
 - (a) Provide written notice to the approving authority or the local health department in the jurisdiction where the restaurant is located that the owner intends to allow patrons' dogs. to accompany patrons in the outdoor dining area of the restaurant 30 days prior to the days dogs will be allowed; and
 - (b) Place on permanent display in the restaurant a written notice that:
 - (i) States the restaurant's policy of allowing patrons' dogs in an outdoor dining area;
 - (ii) Is in a typeface that is large enough to be easily legible to the average person from a distance of 8 feet; and
 - (iii) Is in a location that is plainly visible to the patrons of the restaurant.
 - (3) In establishing the restaurant's policy concerning patron's dogs in outdoor dining areas, the owner may:
 - (a) Determine the location and the amount of space designated for a patron accompanied by the patron's dog; and
 - (b) Establish a limit on the size and type of dogs and any other limitations relating to a patron's dog.

- (4) At the owner's discretion, the owner may deny entry to the restaurant or eject from the restaurant any patron and the patron's dog.
- (5) A patron accompanied by a dog:
 - (a) Shall:
 - (i) Be an adult who is responsible for the behavior of the dog;
 - (ii) Keep the dog with the patron on a leash at all times at the table at which the patron is seated; and
 - (iii) Be liable for any damages caused by the dog to the restaurant or any other patron of the restaurant; and
 - (b) May not:
 - (i) Allow the dog to travel through an indoor space of a restaurant to enter or exit an outdoor dining area; or
 - (ii) Leave the dog unattended at any time.

(Revised 10/29/2018 MJD)