

# Regulations about dogs and food businesses

## 2018 Minnesota Statutes

<https://www.revisor.mn.gov/statutes/cite/157.175>

### 157.175 DOGS; OUTDOOR FOOD AND BEVERAGE SERVICE ESTABLISHMENTS.

#### Subdivision 1. **Municipal authorization.**

A statutory or home rule charter city may adopt an ordinance to permit food and beverage service establishments to allow dogs to accompany persons patronizing designated outdoor areas of food and beverage establishments.

#### Subd. 2. **Dangerous and potentially dangerous dogs.**

The ordinance must prohibit dangerous and potentially dangerous dogs, as defined in section [347.50](#), from accompanying patrons to food and beverage establishments.

#### Subd. 3. **Banning dogs.**

The ordinance may not prohibit a food and beverage establishment from banning dogs. A person accompanied by a dog who remains at an establishment knowing that the operator of the establishment or its agent has posted a sign banning dogs or otherwise informed the person that dogs are not permitted in the establishment may be ordered to leave the premises.

#### Subd. 4. **Permit process.**

(a) The ordinance must require participating establishments to apply for and receive a permit from the city before allowing patrons' dogs on their premises. The city shall require from the applicant such information as the local government deems reasonably necessary, but shall require, at a minimum, the following information:

- (1) the name, location, and mailing address of the establishment;
- (2) the name, mailing address, and telephone contact information of the permit applicant;
- (3) a description of the designated outdoor areas in which the permit applicant intends to allow dogs; and
- (4) a description of the days of the week and hours of operation that patrons' dogs will be permitted in the designated outdoor areas.

(b) A permit issued pursuant to the authority granted in this section must not be transferred to a subsequent owner upon the sale of a food and beverage establishment but must expire automatically upon the sale of the establishment. The subsequent owner shall be required to reapply for a permit pursuant to this section if the subsequent owner wishes to continue to accommodate patrons' dogs.

(c) A city may incorporate the permit requirements of this section into a permit or license issued under an existing ordinance if the city ensures that current and future permit and license holders comply with the requirements of this section. A city may exempt current permit and license holders from reapplying for a permit, if the current permit or license holder provides the city with the information required in paragraph (a) and any other information that the city requests.

**Subd. 5. Minimum requirements.**

The ordinance must include such regulations and limitations as the local government deems reasonably necessary to protect the health, safety, and general welfare of the public, but must require, at a minimum, the following requirements, which must be clearly printed on a sign or signs posted on premises in a manner and place that are conspicuous to employees and patrons:

- (1) employees must be prohibited from touching, petting, or otherwise handling dogs;
- (2) employees and patrons must not allow dogs to come into contact with serving dishes, utensils, tableware, linens, paper products, or any other items involved in food service operations;
- (3) patrons must keep their dogs on a leash at all times and must keep their dogs under reasonable control;
- (4) dogs must not be allowed on chairs, tables, or other furnishings; and
- (5) dog waste must be cleaned immediately and the area sanitized.

**Subd. 6. Service animals.**

Nothing in this statute, or an ordinance adopted pursuant to this statute, shall be construed to limit:

- (1) the right of a person with disabilities to access places of public accommodation while accompanied by a service animal as provided in sections 256C.02 and 363A.19; or
- (2) the lawful use of a service animal by a licensed peace officer.

**Subd. 7. Designated outdoor area.**

The ordinance must include a definition of "designated outdoor area" that is consistent with applicable rules adopted by the commissioner of health.

**History:**

2008 c 325 s 1

## Minnesota Food Code, January 2019

### 179.18 **4626.1585 PROHIBITING ANIMALS. 6-501.115**

179.19           A. Except as specified in items B and C, live animals must not be allowed on the  
179.20 premises of a food establishment.p2

179.21           B. Live animals may be allowed in the following situations if the contamination  
179.22 of food; clean equipment, utensils, and linens; and unwrapped single-service and single-use  
179.23 articles does not result:

- 180.1 (1) edible fish or decorative fish in aquariums, shellfish or crustacea on ice
- 180.2 or under refrigeration, and shellfish or crustacea in display tank systems;
- 180.3 (2) patrol dogs accompanying police or security officers in offices and dining,
- 180.4 sales, and storage areas, and sentry dogs running loose in outside fenced areas;
- 180.5 (3) service animals that are controlled by the disabled employee or person in
- 180.6 areas that are not used for food preparation and that are usually open for customers, such
- 180.7 as dining and service areas, if no health or safety hazard will result from the presence or
- 180.8 activities of the service animal;
- 180.9 (4) pets in the common dining areas of institutional care facilities at times
- 180.10 other than during meals if:
- 180.11 (a) effective partitioning and self-closing doors separate the common
- 180.12 dining areas from food storage or food preparation areas;
- 180.13 (b) condiments, equipment, and utensils are stored in enclosed cabinets
- 180.14 or removed from the common dining areas when pets are present; and
- 180.15 (c) dining areas including tables, countertops, and similar surfaces are
- 180.16 effectively cleaned before the next meal service; and

180.17 (5) in food establishments licensed by either the department, Minnesota  
180.18 Department of Agriculture, or a delegated authority in areas that are not used for food  
180.19 preparation, storage, sales, display, or dining, in which there are caged animals or animals  
180.20 that are similarly confined.

180.21 C. Live or dead fish bait must be stored so that contamination of food;  
clean

180.22 equipment, utensils, and linens; and unwrapped single-use articles cannot result.