

Amendment to SB 17

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to permitting dogs in outdoor dining areas of restaurants.

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5 Amend the bill by replacing all after the enacting clause with the following:

6
7 1 Dogs in Restaurant Outdoor Dining Areas. RSA 466:44, II is repealed and reenacted to read
8 as follows:

9 II. Unless prohibited under subparagraph (d):

10 (a) A restaurant owner may allow dogs in any outdoor dining area at his or her place of
11 business, if:

12 (1) Such dog and owner access the outdoor dining area from the exterior of the
13 restaurant, regardless of whether food or drink are served in such outdoor dining area.

14 (2) All food is prepared and all utensils stored in the interior of the restaurant.

15 (3) The owner allowing dogs shall prominently display a sign at all public entrances
16 advising patrons that dogs are allowed on the premises. The sign shall state the following text in
17 English:

18 "Companion dogs are only allowed in certain outdoor dining areas of this establishment.

19 Only service dogs are allowed in other parts of this establishment.

20 Your companion dog must be licensed and currently vaccinated against rabies to remain in the
21 outdoor dining area with you.

22 You are responsible for controlling your dog at all times."

23 (4) The owner of such dog controls his or her dog within the outdoor dining area.

24 (5) The owner of a dog keeps the dog on the ground and out of the aisles of the
25 outdoor dining area and does not allow the dog to eat or drink using glasses, plates, or utensils from
26 the restaurant.

27 (6) The staff of the restaurant does not pet or play with the dog.

28 (7) The restaurant owner asks a dog owner to remove his or her threatening or
29 aggressive dog from the outdoor dining area.

30 (8) The restaurant owner calls 911 if such dog bites or hurts another person.

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1 (9) The outdoor dining area, including the exterior walls and floors, is maintained
2 clean, and surfaces that have been contaminated with dog excrement or other bodily fluids such as
3 urine, saliva, and vomit, are immediately cleaned and sanitized.

4 (10) Dogs are not allowed in food preparation or production areas.

5 (b) In this paragraph "patio" means an open air, exterior space with an entrance
6 separate from the restaurant.

7 (c) This paragraph shall not apply to a service animal as defined by RSA 167-D:1, IV.

8 (d) A municipality may, by ordinance or regulation adopted under RSA 47:17 or RSA
9 147:1, prohibit dogs in outdoor dining areas of restaurants, regardless of whether the municipality is
10 responsible for licensing food service establishments.

11 2 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill allows dogs in outdoor dining areas under certain conditions.