

**CITY OF EDEN PRAIRIE
HENNEPIN COUNTY, MINNESOTA**

ORDINANCE NO. 14-2024

AN ORDINANCE OF THE CITY OF EDEN PRAIRIE, MINNESOTA AMENDING CITY CODE CHAPTER 5 BY ADOPTING A NEW SECTION 5.80 RELATING TO OUTDOOR DINING AREA DOG PERMITS; AND ADOPTING BY REFERENCE CITY CODE CHAPTER 1 AND SECTION 5.99 WHICH AMONG OTHER THINGS CONTAIN PENALTY PROVISIONS.

THE CITY COUNCIL OF THE CITY OF EDEN PRAIRIE, MINNESOTA ORDAINS:

Section 1. City Code Chapter 5 is amended by inserting a new Section 5.80 which reads as follows:

SECTION 5.80. – OUTDOOR DINING AREA DOG PERMIT

Subd. 1. Purpose. The purpose of this section is to permit food and beverage service establishments to allow dogs to accompany persons patronizing designated outdoor areas of such establishments, pursuant to Minnesota Statutes Section 157.175.

Subd. 2. Definitions. When used in this section, the following terms will have the following meanings:

Dangerous dog and *potentially dangerous dog* have the meaning specified in Minnesota Statutes Section 347.50.

Designated outdoor area means a specifically identified and defined outdoor area, such as a patio, located on the premises of a licensed food and beverage establishment.

Food and beverage establishment or *establishment* means a building, structure, enclosure, or any part of a building, structure, or enclosure used as, maintained as, advertised as, or held out to be an operation that prepares, serves, or otherwise provides food or beverages, or both, for human consumption.

Outdoor area means any area utilized for food or beverage service and consumption located on the licensed premises of a food and beverage establishment but does not include any “indoor area” as that term is defined in Minnesota Statutes Section 144.413.

Subd. 3. Permit Required. A food and beverage establishment may allow dogs to accompany persons patronizing designated outdoor areas upon first obtaining a permit from the City pursuant to this section.

Subd. 4. Exceptions. No permit under this section is required to allow:

- A. A person with disabilities to access places of public accommodation while accompanied by a service animal as provided in Minnesota Statutes Sections 256C.02 and 363A.19; or
- B. The lawful use of a service animal by a licensed peace officer.

Subd. 5. Permit Applications.

- A. The Police Chief or their designee may issue a permit upon an applicant's provision of the following required 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 and sketch of the designated outdoor area(s) in which the applicant intends to allow dogs; and
 - 4. A description of the days of the week and hours of operation that dogs will be permitted in the designated outdoor areas.
- B. A permit may not be transferred to a subsequent owner upon the sale of the establishment but will expire automatically upon the sale of the establishment. The subsequent owner will be required to apply for a new permit pursuant to this section if the subsequent owner wishes to continue to accommodate patrons' dogs.

Subd. 6. Conditions, Restrictions, and Regulations.

- A. A permit issued pursuant to this section is subject to the conditions, restrictions, and regulations in this section, all other provisions of City Code, and all provisions of other applicable federal state, and local laws, regulations, and ordinances.
- B. The designated outdoor dog area is limited to approved designated outdoor areas; however, a dog may be present in an approved interior corridor solely for the purpose of being transported directly between the entry of the establishment and a designated outdoor dog area if direct access to the designated outdoor dog area is not capable of being provided.
- C. Dangerous dogs and potentially dangerous dogs are prohibited from accompanying patrons into the establishment.
- D. Employees must be prohibited from touching, petting, or otherwise handling dogs. If an employee inadvertently touches or otherwise handles a dog, the employee must promptly wash and clean their hands and exposed portions of their arms.
- E. 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.

- F. Patrons must keep their dogs on a leash at all times and must keep their dogs under reasonable control.
- G. Dogs must not be allowed on chairs, tables, or other furnishings.
- H. Dog waste must be cleaned immediately and the area sanitized.
- I. A clearly printed sign or signs must be posted at the entry of the premises and at the designated outdoor area, in a manner and place that are conspicuous to employees and patrons, indicating where dogs are allowed on the premises and reciting the conditions and restrictions in subsections C–H of this subdivision 6.

Subd. 7. Suspension or Revocation of Permit. The City may suspend or revoke a permit issued under this section upon the permit holder’s failure to comply with the conditions and restrictions of this section.

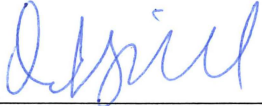
Subd. 8. Banning Dogs. This section does not prohibit a food and beverage establishment from banning dogs. A person accompanied by a dog who remains at an establishment knowing that the operator of the establishment or its agent has posted a sign banning dogs or otherwise informed the person that dogs are not permitted in the establishment may be ordered to leave the premises.

Section 2. City Code Chapter 1 entitled “General Provisions and Definitions Applicable to the Entire City Code Including Penalty for Violation” and Section 5.99 entitled “Violation a Misdemeanor” are hereby adopted in their entirety, by reference, as though repeated verbatim herein.


Section 3. This ordinance shall become effective from and after its passage and publication.

FIRST AND FINALLY READ, adopted and ordered published at a regular meeting of the City Council of the City of Eden Prairie on the 15th day of October, 2024.

ATTEST:



David Teigland, City Clerk



Ronald A. Case, Mayor

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