



City of Nashua Dog Friendly Outdoor Dining

What you need to know



DOG FRIENDLY OUTDOOR DINING VARIANCE

Restaurants with outdoor dining areas may now apply to the Environmental Health Department for a variance to the 2009 FDA Food Code allowing companion dogs in outdoor dining areas of the food service establishment provided the rules outlined in the variance are followed. An outdoor dining area means any outdoor area, under the control of the restaurant, where customers eat. However, dogs must enter the outdoor dining area directly from the outside and shall not enter outdoor dining areas by going through the inside of the restaurant or through any area where food is stored or prepared. It is against NH state law for patron companion dogs to enter a food service establishment (RSA 466:44). If restaurants with outdoor dining elect not to allow companion dogs in outdoor dining, they still must allow service dogs as provided in RSA 167-D.

RESTAURANTS APPLYING FOR A “DOG FRIENDLY OUTDOOR DINING” VARIANCE MUST ADHERE TO THE FOLLOWING:

POST A SIGN(S) AT ALL ENTRANCES TO THE OUTDOOR DINING AREA

The sign will be provided by the Environmental Health Department with an approved variance application and shall state the following:

- Dog Friendly Outdoor Dining
- Companion dogs are only allowed in outdoor dining areas
- Dogs must be licensed and currently vaccinated against rabies
- Dogs are not allowed on furniture or laps
- Dog owners are responsible for controlling their dog at all times

The sign will have a reference to the full dog variance posted on the Environmental Health Department website and will list the establishments name and year of issuance. A variance will be valid for a calendar year and may be reapplied for. Restaurants with an approved variance shall be responsible for ensuring the sign remains posted at all times and remains in good condition.

FOOD MUST BE PREPARED AND UTENSILS STORED INSIDE THE ESTABLISHMENT

Establishments allowing dogs in outdoor dining shall not prepare food and drinks in these areas, however, staff may refill beverages in the outdoor dining area. Utensils must be stored inside the establishment to prevent possible contamination.

ENTRANCES AND EXITS TO THE ESTABLISHMENT MUST REMAIN FREE AND CLEAR

Dogs are not allowed within seven (7) feet of any entrance or exit to an establishment to ensure these areas remain free and clear at all times for patron access and egress as well as in case of an emergency.

ONLY DOGS ARE ALLOWED IN OUTDOOR DINING

This variance only applies to companion dogs and does not apply to any other animal.

STAFF SHALL NOT PET OR PLAY WITH DOGS

Employees shall not touch dogs to prevent possible contamination to food, utensils, equipment, and sensitive individuals. If incidental contact does occur, staff must wash their hands with warm water and soap before proceeding to any other task.

DOGS MUST BE LICENSED AND CURRENTLY VACCINATED AGAINST RABIES

All dogs must be licensed and shall wear current license tag, per RSA466:1. All dogs shall be current on their rabies vaccination per RSA 436:100.

DOGS MUST BE UNDER THE CONTROL OF THEIR OWNERS AT ALL TIMES

Dogs must be within arm's length of their owners, either in a carrier or on a leash held by the owner or tied to a chair or table leg. Dogs must be well behaved at all times, and if deemed to be aggressive or threatening in any way, the customer will be asked to remove the dog from the premise.

DOG MUST REMAIN ON THE GROUND AT ALL TIMES

Dogs shall not be allowed on any furniture or persons lap at any time. Dogs are also not allowed to sit or stand in any aisles of the outdoor dining area

ONLY WATER SHALL BE PROVIDED FOR DOGS IN OUTDOOR DINING AREAS

Dogs shall not be given any food in outdoor dining areas. Water may be given by staff in single-use, disposable containers, or in a bowl provided by the dog owner.

OUTDOOR DINING AREA SHALL BE MAINTAINED AND FREE OF ALL VISIBLE DOG HAIR, DANDER, AND OTHER WAST AND DEBRIS

The establishment shall have separate cleaning supplies for outdoor and indoor dining areas. Outdoor dining areas shall be cleaned at the beginning of each shift during which food/beverage will be served (breakfast, lunch, dinner), except if no dog has been present since the last cleaning.

Fecal, urine, or vomit incidents must be immediately cleaned and sanitized by the party having control over the dog or another person not involved in the preparation and/or service of food using animal friendly chemicals provided by the establishment.

RESTAURANTS WHO DO NOT COMPLY WITH THE RULES OF THE VARIANCE MAY RECEIVE A NOTICE OF VIOLATION AND BE SUBJECT TO FINES.

Violations to the rules outlined in the dog friendly outdoor dining variance may be subject to a citation and penalties as outlined in Chapter 74 of Nashua's Revised Ordinances.

RESTAURANTS MAY MAKE ADDITIONAL RULES NOT OUTLINED IN THE VARIANCE

Restaurants have the right to make additional rules not outlined in the variance for their outdoor dining areas such as the size and breed of dogs allowed, and sections of outdoor dining where patrons with dogs may be seated.

ALL INCIDENTS PERTAINING TO DOGS SHALL BE REPORTED TO THE NASHUA POLICE DEPARTMENT

Violations to the rules outlined in the dog friendly outdoor dining variance may be subject to a citation and penalties as outlined in Chapter 74 of Nashua's Revised Ordinances. The Environmental Health Department will follow up with their protocols pertaining to the Rabies Control Act as outlined in RSA 436:99-109.