



### Dog Friendly Dining Permit

CITY OF PORT ORANGE COMMUNITY DEVELOPMENT DEPARTMENT  
1000 CITY CENTER CIRCLE, PORT ORANGE, FL 32129  
386-506-5672

Name of Business: \_\_\_\_\_

Address of Establishment: \_\_\_\_\_ City: \_\_\_\_\_ Zip code: \_\_\_\_\_

Phone Number of Establishment: \_\_\_\_\_

DBPR License No. of Establishment: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Applicant Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip code: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Permit submittal requirements:**

- Application Fee
- Description of the designated outdoor dining area including the days and hours dogs will be permitted in the dog designated dining area.
- Diagram of the outdoor dining area, including the following:
  - Dimensions of the designated area
  - Layout of the table, chairs and restaurant equipment (if any)
  - Entryway and exits of the designated outdoor area
  - Location of other outdoor dining area not available to dogs
  - Any fences or barriers
  - Surrounding property lines and public right-of-way including sidewalks
  - Location of signage for the dog designated dining area
  - The diagram shall be accurate and to scale but need not be prepared by a licensed design professional.
- Signed Hold Harmless agreement.


**By my signature hereto, I do hereby certify that the information contained in this application is true and correct to the best of my knowledge in accordance with the requirements of Chapter 509, Florida Statutes and City of Port Orange Ordinance 2019-35. I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and / or revocation of any approval based upon this application. I also represent that I have the lawful right and authority to file this application.**

\_\_\_\_\_  
**SIGNATURE OF AUTHORIZED APPLICANT\***

\_\_\_\_\_  
**DATE**

*\*Proof of owner's authorization is required with submittal if signed by agent.*

FOR OFFICE USE ONLY			
Date Submitted:		Reviewed By:	
Tax parcel number:		Zoning/FLU:	
Notes:			





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### **Dog friendly dining areas are allowed for licensed Public Food Service Establishment under Chapter 509, Florida Statutes and City of Port Orange Ordinance 2019-35 under the following regulations:**

- (1) Employees shall wash their hands promptly after touching, petting, or otherwise handling any dog.
- (2) Employees are prohibited from touching, petting, or otherwise handling any dog while serving food or beverages or handling tableware or before entering other parts of the public food service establishment.
- (3) Patrons in a designated outdoor area shall be advised that they should wash their hands before eating. Waterless hand sanitizer shall be provided at all tables in the designated outdoor area.
- (4) Employees and patrons shall not allow dogs to come into contact with serving dishes, utensils, tableware, linens, paper products, or any other items involved in food service operations.
- (5) Permittee shall require that patrons keep their dogs under reasonable control and on a leash at all times. Permittee shall require dogs showing signs of aggression to be removed immediately.
- (6) Patrons' dogs must be wearing current rabies tags.
- (7) Dogs shall not be allowed on chairs, tables, or other furnishings.
- (8) Employees shall clean and sanitize all table and chair surfaces with an approved product between seating of patrons/guests.
- (9) Employees shall remove all spilled food and drink from the floor or ground between seating of patrons.
- (10) Employees shall ensure that accidents involving dog waste are cleaned immediately and the area sanitized with an approved product. A kit with the appropriate materials for this purpose shall be kept near the designated outdoor area.
- (11) A **sign** or signs **reminding employees of the applicable rules** shall be posted in a conspicuous **location frequented by employees** within the public food service establishment. The mandatory sign shall be not less than eight and one-half inches in width and 11 inches in height (**8½ x 11**) and printed in easily legible typeface of not less than 20-point font size.
- (12) A **sign** or signs **reminding patrons of the applicable rules**, shall be posted in a conspicuous **location within the designated outdoor dining area** of the public food service establishment. The mandatory sign shall be not less than eight and one-half inches in width and 11 inches in height (**8½ x 11**) and printed in easily legible typeface of not less than 20-point font size.
- (13) A **sign** shall be posted in a conspicuous and public location **near the entrance to the designated outdoor dining area** of the public food service establishment, the purpose of which shall be to place patrons/guests on notice that the designated outdoor portion of the public food service establishment is currently available to patrons/guests accompanied by their dog or dogs. The mandatory sign shall be not less than eight and one-half inches in width and 11 inches in height (**8½ x 11**) and printed in easily legible typeface of not less than 20-point font size.
- (14) Dogs shall not be permitted to travel through indoor or undesignated outdoor portions of the public food service establishment, and ingress and egress to the designated outdoor portions of the public food service establishment shall not require entrance into or passage through any indoor or undesignated outdoor portion of the public food service establishment.
- (15) The City-issued Dog Friendly Dining Permit shall be conspicuously displayed in the designated outdoor dining area.
- (16) Dog Friendly Dining Permit shall expire automatically upon sale of the establishment and cannot be transferred to a subsequent owner. The subsequent owner shall be required to reapply for a permit if such owner wishes to continue to accommodate patrons' dogs.
- (17) The City shall accept and document complaints related to the dog friendly dining program within the City of Port Orange, and shall timely report to the State of Florida Division of Hotels and Restaurants all such complaints and the City's enforcement response to such complaint. Any public food service establishment that fails to comply with the requirements of this permit shall be guilty of violating this part of the City of Port Orange Code and shall be subject to any and all enforcement proceedings consistent with the applicable provisions of the Port Orange City Code and general law. Each day a violation exists shall constitute a distinct and separate offense.



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### **Dog Friendly Dining Rules:**

- 1. Employees are not allowed to touch, pet, or otherwise handle dogs while serving food or beverages or handling tableware or before entering other parts of the public food service establishment. After handling a dog employee must wash hands promptly.**
- 2. Dogs are not allowed to come in any contact with dishes, utensils or any items involved with food service.**
- 3. Dogs must be well behaved and on a leash. Dogs must be wearing current rabies tags. They are not allowed on tables, chairs or other furnishings.**
- 4. Outdoor dog friendly dining area must be cleaned and sanitized, and any spilled food removed from the ground.**
- 5. Outdoor dog friendly dining area must be signed, and dogs may not travel through other dining areas.**

## **HOLD HARMLESS AGREEMENT, IDEMNIFICATION, AND RELEASE**

In consideration of obtaining a permit from the City of Port Orange, I (the Permittee, my representatives, employees, agents, assigns, heirs, and the like) hereby release, hold harmless, and indemnify the City of Port Orange, its officers, employees, volunteers, agents, representatives and the like, from any and all actions, claims, demands, losses, judgments and costs, including attorneys' fees and costs, that may be incurred in connection with 1) any and all personal injury (including, but not limited to, sickness, disease, death, or any other type of bodily injury, whether mental and/or physical) to persons and dogs that enter the premises, 2) any and all property damage and/or loss of use and/or financial loss to the premises and any and all property on or surrounding said premises, and 3) any and all damages, including but not limited to, damages for medical expenses, lost income, loss of earning capacity, hardship, pain and suffering and mental anguish, which may arise out of, be a result of, stem from, surround, be in relation to, .or which may be occasioned by any activity carried out or that should have been carried out or attempted under the terms of the permit and/or the City's Ordinance allowing patrons' dogs to be on permittee's premises. I understand that the safety of the dogs, the persons, and the property on and surrounding said premises is my responsibility and not the City of Port Orange. I understand that there are inherent risks to having a dog friendly restaurant. By applying for the permit, I acknowledge that I am able to evaluate all of the risks involved and feel that I can be completely and solely responsible for any and all risks involved. I freely and voluntarily assume all risks to me (the Permittee, my representatives, employees, agents, assigns, heirs, and the like), and any and all persons, property and dogs that enter or surround the premises. I do this knowingly, waiving any and all rights.

I also agree that I will obtain and hold liability insurance coverage and the coverage will include the City of Port Orange as a named insured.

I have carefully read and signed this document with the understanding that I am releasing the City of Port Orange, its officers, employees, volunteers, agents, representatives and the like, from any and all liability. I understand that I am responsible for the premises and all persons, property and dogs that enter or surround the premises, including complying with the Ordinance and all applicable laws. I am executing this document of my own free will, voluntarily, without pressure, coercion or mental reservation. I am of sound mind and completely sober, and I understand that by executing this document I may have given up substantial rights without any inducement, assurance, or guarantee.

DATED this day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Name of Business/Permittee Location

By: \_\_\_\_\_  
Business Operator/Owner/Agent

Print Name: \_\_\_\_\_

Witness: \_\_\_\_\_

Print Name: \_\_\_\_\_

Witness #2: \_\_\_\_\_

Print Name: \_\_\_\_\_

Note: The following owner affidavit of authorization is only required with the Applicant is not the Property Owner.

**OWNER AFFIDAVIT OF AUTHORIZATION**

\_\_\_\_\_ hereby authorizes \_\_\_\_\_,  
(Property Owner's Name) (Applicant's Name)

and its agents, to make application for Dog Friendly Dining Program to the City of Port Orange for property described on the attached application form.

**Property Owner's Signature:** \_\_\_\_\_

Please type first and last name of Signatory: \_\_\_\_\_

**Date:** \_\_\_\_\_

**STATE OF FLORIDA  
COUNTY OF VOLUSIA**

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization on this \_\_\_\_\_ by \_\_\_\_\_, who is personally  
(Date) (Name of Person(s) Acknowledging)  
known to me or who has produced \_\_\_\_\_ as identification and who  
(Type of Identification)  
did (did not) take an oath.

\_\_\_\_\_  
(Signature) Notary Public, Commission No. \_\_\_\_\_

\_\_\_\_\_  
(Name of Notary typed, printed or stamped)