



DOMINICK PANGALLO  
MAYOR

## CITY OF SALEM, MASSACHUSETTS

BOARD OF HEALTH  
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**Public Health**  
Prevent. Promote. Protect.

DAVID GREENBAUM, RS, CHO  
HEALTH AGENT

The Salem Board of Health, pursuant to its authority under MGLChap 111 and 105CMR 590, grants a **variance** from the requirements of 2013 Food Code 6.501.115, **to allow for dogs in outdoor dining areas:**

To: \_\_\_\_\_

Located at: \_\_\_\_\_

### CONDITIONS OF VARIANCE:

1. This variance is for dogs only and shall not apply to any other animals or pets.
2. All dogs allowed in outdoor dining areas shall wear a collar and leash or be in an animal carrier.
3. The dog must have a current rabies vaccination tag.
4. No customer in the outdoor dining area shall have control of more than one (1) dog.
5. No preparation of food, mixing of drinks, and storage of food or ice is allowed in the outdoor dining area.
6. Dogs may not pass through an indoor area of a restaurant to access the outdoor dining area.
7. Dogs must be under direct control of the guest at all times.
8. Food Service employees must not touch, pet, or handle dogs in any manner.
9. If there is incidental contact with the dog, the Food service worker shall immediately wash their hands before proceeding to any other task.
10. Establishment shall post the Rules for Diners with Dogs (see attached) and must be readable from the furthest dining table.
11. Dogs are not allowed on patrons' laps, chairs, tables, or other furnishings.
12. Dogs shall be confined to the immediate dining area where the person having control of it is seated.
13. Dogs shall not disturb other guests in the outdoor dining area.

14. Dogs shall not come in contact with utensils, serving dishes, tableware, or other equipment used in the preparation and service of food except single service disposable equipment.
15. Fecal or urine incidents involving dogs must be cleaned immediately by the party having control of the dog, or other person not involved in the preparation and service of food. The area shall be disinfected immediately after the feces/urine has been removed. The Food Establishment shall develop and provide a disinfection policy for fecal/urine incidents.
16. Areas occupied by dogs must be cleaned and sanitized immediately after dogs have left the establishment.
17. Separate cleaning equipment for the outside area must be provided, and that equipment must be kept in the outside dining area, whenever the facility is open for business. It shall also be clearly identified as outside cleaning equipment.
18. Waterless sanitizer shall be provided in the outdoor dining area.
19. Evidence of liability insurance covering dog incidents shall be provided to the Salem Board of Health.
20. All incidents pertaining to dogs shall be reported to the Salem Board of Health.
21. Failure to comply with the requirements of this variance may result in suspension or revocation of the variance. Prior to the suspension or revocation of the variance, a hearing will be held in conformity with 105CMR590.015.
22. This variance is not transferable.
23. The variance shall not take effect until date of issue.
24. Copy of the variance shall be posted in the food establishment.

I \_\_\_\_\_ owner/manager of \_\_\_\_\_ located at

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Agree to abide with the conditions of this variance. Further, we hold harmless the City of Salem and its Board of Health from any incident(s) arising out of the permitting of animals in outdoor dining area(s). Further, I understand

that failure to comply with the requirements will result in a hearing before the Board of Health which may result in the revocation of this variance.

For Establishment: \_\_\_\_\_

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**(This Section For Board of Health Office Use Only)**

Reviewed by: \_\_\_\_\_

Approved by: \_\_\_\_\_

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

Variance Expires: \_\_\_\_\_

## **RULES FOR DINERS WITH DOGS**

**No more than one (1) dog per diner**

**Animals must be leashed at all times or kept in a closed animal carrier**

**No barking, jumping, or begging**

**No eating from the table or out of hand**

**No sitting on tables, chairs, or other furnishings**

**Do not enter from the inside of the restaurant**

**Animals must be under control of guest at all times**

**Current vaccination tags must be on pet's collar**

**Pets must not disturb other patrons**

**Pets must sit as close to the table as possible**

**Pets are not permitted inside the restaurant**