

SENATE, No. 766

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

SYNOPSIS

“Chloe’s Pet Access Law”; permits dogs in outdoor seating areas of restaurants under certain circumstances; codifies current requirements concerning live animals in food establishments.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



S766 GOPAL

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1 AN ACT concerning animals at outdoor dining facilities, designated
2 as Chloe's Pet Access Law, and supplementing P.L.1947, c.177
3 (C.26:1A-1 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
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8 1. a. Except as specified in subsections b. and c. of this
9 section, a live animal shall not be allowed on the premises of a food
10 establishment.

11 b. A live animal may be allowed on the premises of a food
12 establishment in the following situations, and under the following
13 conditions, provided the presence of the live animal would not
14 result in the contamination of food, clean equipment, utensils, and
15 linens, and unwrapped single-use articles:

16 (1) Edible fish or decorative fish in aquariums, shellfish or
17 crustacea on ice or under refrigeration, and shellfish and crustacea
18 in display tank systems;

19 (2) Patrol dogs accompanying police or security officers in
20 offices and dining, sales, and storage areas, and sentry dogs running
21 loose in outside fenced areas;

22 (3) In areas that are not used for food preparation, including
23 dining and sales areas, service animals such as guide dogs that are
24 trained to assist an employee or other person who has a disability,
25 are controlled by the employee or person, and are not allowed to be
26 on the seats or tables;

27 (4) Pets in the common dining areas of group residences at times
28 other than during meals if effective partitioning and self-closing
29 doors separate the common dining areas from food storage or food
30 preparation areas; if condiments, equipment, and utensils are stored
31 in enclosed cabinets or removed from the common dining areas
32 when pets are present; and if dining areas, including tables,
33 countertops, and similar surfaces, are effectively cleaned before the
34 next meal service; and

35 (5) Pet dogs under the control of a person in an outdoor dining
36 area, provided that

37 (a) the owner of the food establishment elects to allow pet dogs
38 in the outdoor dining areas of the establishment,

39 (b) a separate outdoor entrance is present where pet dogs enter
40 without going through the food establishment to reach the outdoor
41 dining area and pet dogs are not allowed on chairs, benches, seats,
42 or other fixtures,

43 (c) the outdoor dining area is not used for food or drink
44 preparation or the storage of utensils, except that food service
45 employees of the establishment may refill beverage glasses from a
46 pitcher or other container,

47 (d) food and water provided to pet dogs is dispensed in single-
48 use disposable containers,

1 (e) food service employees are prohibited from having direct
2 contact with pet dogs while on duty; a food service employee who
3 does have such prohibited direct contact is required to wash the
4 employee's hands in accordance with State public health and
5 sanitation requirements,

6 (f) the outdoor dining area is kept clean, and surfaces that have
7 been contaminated by dog excrement or other bodily fluids shall be
8 cleaned and sanitized,

9 (g) the pet dog is on a leash or confined in a pet carrier and is
10 under the control of the pet dog owner, and

11 (h) the owner of the food establishment ensures compliance with
12 local ordinances related to sidewalks, public nuisance, and sanitation,
13 and any other applicable health and safety control measures.

14 c. Live or dead fish bait may be stored on the premises of the
15 food establishment, provided the storage would not result in the
16 contamination of food, clean equipment, utensils, and linens, and
17 unwrapped single-service and single-use articles.

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19 2. This act shall take effect immediately.

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22 STATEMENT

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24 This bill permits dogs in the outdoor dining areas of food
25 establishments, provided that certain conditions are met. The bill
26 also allows animals in food establishments under certain
27 circumstances. The bill codifies the current requirements regarding
28 the presence of live animals in food establishments as set forth in
29 the New Jersey Administrative Code at N.J.A.C.8:24-6.5. The bill,
30 is designated as "Chloe's Pet Access Law," to recognize the dog
31 belonging to the family who advocated for the measures in the bill.

32 Specifically, the bill allows a live animal on the premises of a
33 food establishment under limited conditions if the presence of the
34 live animal would not result in the contamination of food, clean
35 equipment, utensils, and linens, and unwrapped single-use articles.
36 Live animals are allowed on the premises of a food establishment in
37 aquariums and display tank systems, when accompanying police or
38 security officers as patrol dogs, when used as service animals, and
39 in common areas of group residences.

40 The bill also includes additional specific conditions that would
41 apply when pet dogs are allowed in outdoor dining areas. Finally,
42 the bill allows for the storage of live or dead fish bait on the
43 premises of a food establishment if the storage would not result in
44 the contamination of food, clean equipment, utensils, and linens,
45 and unwrapped single-service and single-use articles.