

[Second Reprint]

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)

Senator JOSEPH PENNACCHIO

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

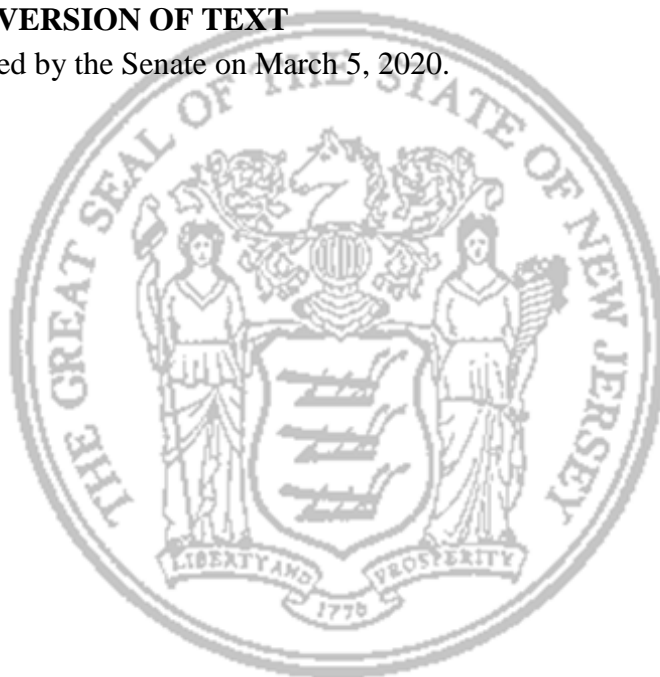
Senator O'Scanlon

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

As amended by the Senate on March 5, 2020.



(Sponsorship Updated As Of: 3/5/2020)

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:
7

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

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEN committee amendments adopted February 24, 2020.

²Senate floor amendments adopted March 5, 2020.

- 1 employees of the establishment may refill beverage glasses from a
2 pitcher or other container,
- 3 (d) food and water provided to pet dogs is dispensed in single-
4 use disposable containers,
- 5 (e) food service employees are prohibited from having direct
6 contact with pet dogs while on duty; a food service employee who
7 does have such prohibited direct contact is required to wash the
8 employee's hands in accordance with State public health and
9 sanitation requirements,
- 10 (f) the outdoor dining area is kept clean, and surfaces that have
11 been contaminated by dog excrement or other bodily fluids shall be
12 cleaned ¹by the owner of the pet dog¹ and sanitized,
- 13 (g) the pet dog is on a leash or confined in a pet carrier and is
14 under the control of the pet dog owner, and
- 15 (h) the owner of the food establishment ensures compliance with
16 local ordinances related to sidewalks, public nuisance, and
17 sanitation,
18 and any other applicable health and safety control measures.
- 19 ²Nothing in this paragraph shall be construed to require an owner
20 of a food establishment to allow a pet dog in an outdoor dining area
21 if the dog is not wearing a valid registration tag pursuant to section
22 2 of P.L.1941, c.151 (C.4:19-15.2).²
- 23 c. Live or dead fish bait may be stored on the premises of the
24 food establishment, provided the storage would not result in the
25 contamination of food, clean equipment, utensils, and linens, and
26 unwrapped single-service and single-use articles.
- 27
- 28 2. This act shall take effect immediately.