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MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL
CC: JOSHUA M. TETZLAFF, CITY ADMINISTRATOR
FROM: EVAN C. GARIEPY, PLANNER
KEN ONDICH, PLANNING / COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: INTRODUCTION OF ORDINANCE #357 ADDING SECTION 90.14 (DOGS IN OUTDOOR AREAS OF FOOD AND BEVERAGE SERVICE ESTABLISHMENTS) OF CHAPTER 90 TITLED ANIMAL REGULATIONS.
DATE: OCTOBER 14TH, 2025

Staff recently received an inquiry from Giesenbrau Bier Co. about allowing a dog-friendly outdoor patio area. The City Code currently does not accommodate a dog-friendly area for any food or beverage service establishments. Per Minnesota State Statute § 157.175, statutory or home rule charter cities may adopt an ordinance to permit this. It also requires that establishments obtain a permit from the City before allowing dogs.

State Statute requires minimum safety and cleanliness requirements. Employees may not touch dogs, may not allow them to touch any food service-related objects, and they must be leashed and non-dangerous. Establishments are also not required to provide a dog-friendly patio, as it's entirely opt-in.

For an establishment that also serves liquor, patrons may not enter the patio directly, as provided for in the zoning ordinance. Upon consulting with Attorney McKaia Dykema with Kennedy & Graven, many establishments have the dog and owner enter through a separate side door or point of entrance to the patio and are then assisted by restaurant staff. Due to the zoning ordinance provision restriction on entering patios with alcohol, the proposed § 90.14(D)(1) permits for dogs to be "in an approved interior corridor solely for the purpose of being transported" directly to the outdoor dog area. Attorney Dykema also reviewed the final proposed Section 90.14.

Staff recommends that City Code Chapter 90 be amended to include a new Section 90.14 allowing food and beverage service establishments to opt-in to allow dogs in designated outdoor areas. Establishments will be required to obtain a permit and put up signage before allowing dogs. The first reading of the code amendment would occur at tonight's meeting. Minnesota Statute 415.19 requires 10 days' notice to public before the City Council can take a final vote on the amending ordinance. This notice simply needs to be posted at City Hall and on the City's website and would be posted on October 21st should the first reading occur at tonight's meeting.

Staff Recommendation

Staff recommends that the City Council introduce the attached City Code amendment for its first reading tonight. A second reading before adoption and publication of the ordinance amendment would also be required in the future.