

**ORDINANCE NO. 357
CITY OF NEW PRAGUE**

**AN ORDINANCE AMENDING SECTIONS OF CHAPTER 90, TITLE IX OF THE NEW
PRAGUE CITY CODE OF ORDINANCES RELATING TO ANIMAL REGULATIONS BY
ADOPTING A NEW SECTION 90.14 RELATING TO DOGS IN OUTDOOR AREAS OF FOOD
AND BEVERAGE SERVICE ESTABLISHMENTS**

The City of New Prague Ordains:

SECTION 1. Chapter 90 of the City Code of the city of New Prague is hereby amended by adding new section 90.14 language as follows:

§ 90.14 DOGS IN OUTDOOR AREAS OF FOOD AND BEVERAGE SERVICE ESTABLISHMENTS.

(A) *Purpose.* The City of New Prague, a home rule charter city, has the authority to permit food and beverage service establishments to allow dogs to accompany persons patronizing designated outdoor areas of these establishments, in accordance with M.S. § 157.175, as amended from time to time.

(B) *Definitions.* When used in this section, the following terms will have the following meanings:

(1) *Designated Outdoor Area* means a specifically identified and defined outdoor area, such as a patio, located on the premises of a licensed food and beverage establishment.

(2) *Dangerous Dog and Potentially Dangerous Dog* have the meaning specified in M.S. § 347.50, as amended from time to time.

(C) *Permitting.* A food and beverage establishment may allow dogs to accompany persons patronizing designated outdoor areas upon first obtaining a permit from the City pursuant to this section.

(1) The permit will automatically renew upon food establishment license renewal and be printed on the license unless the food establishment licensee informs the City to end the permit.

(2) A permit may not be transferred to a subsequent owner upon the sale of a food and beverage establishment but must expire automatically upon the sale of the establishment. The subsequent owner must reapply for a permit if the subsequent owner wishes to continue to accommodate patron's dogs.

(3) The permit application must include, at minimum:

i. The name, location, and mailing address of the establishment;

- ii. The name, mailing address, and telephone contact information of the permit applicant;
- iii. A description of the designated outdoor areas in which the permit applicant intends to allow dogs; and
- iv. Proof of compliance with all zoning and City Code requirements for outdoor dining and service of alcoholic beverages, if applicable; and
- v. A description of the days of the week and hours of operation that patrons' dogs will be permitted in the designated outdoor areas.

(D) Conditions, Restrictions, and Regulations

- (1) The designated outdoor dog area is limited to approved designated outdoor areas; however, a dog may be present in an approved interior corridor solely for the purpose of being transported directly between the entry of the establishment and a designated outdoor dog area if direct access to the designated outdoor dog area is not capable of being provided either due to physical limitations or due to zoning ordinance requirements.
- (2) Dangerous dogs and potentially dangerous dogs are prohibited from accompanying patrons into the establishment.
- (3) Nothing in this ordinance shall be construed to require food and beverage service establishments to allow dogs to accompany patrons in designated outdoor areas. A person accompanied by a dog who remains at an establishment knowing that the operator of the establishment or its agent has posted a sign banning dogs or otherwise informed the person that dogs are not permitted in the establishment may be ordered to leave the premises.
- (4) *Posting Requirements.* Permit holders must comply with the following, which must be clearly printed on a sign or signs posted on premises in a manner and place that are conspicuous to employees and patrons:
 - i. Employees are prohibited from touching, petting, or otherwise handling dogs;
 - ii. Employees and patrons may not allow dogs to come into contact with serving dishes, utensils, tableware, linens, paper products, or any other items involved in food service operations;
 - iii. Patrons must keep their dogs on a leash at all times and must keep their dogs under reasonable control;
 - iv. Dogs must not be allowed on chairs, tables, or other furnishings;
 - v. Dog waste must be cleaned immediately and the area sanitized.

- (E) *Exceptions.* Nothing in this ordinance shall be construed to limit the right of a person with disabilities to access places of public accommodation while accompanied by a service animal in M.S. §§ 256C.02 and 363A.19 or the lawful use of a service animal by a licensed peace officer.
- (F) *Penalty.* The City may suspend or revoke a permit issued under this section upon the permit holder's failure to comply with the conditions, restrictions and regulations of this section.

SECTION 2. This ordinance shall take effect and be in force after its passage and upon its publication, in accordance with Section 3.13 of the City Charter.

Introduced to the City Council of the City of New Prague, Minnesota, this 20th day of October, 2025.

The required 10 days posted notice was completed on the City Website and City Hall Bulletin Board on October 21st, 2025.

Passed by the City Council of the City of New Prague, Minnesota, the 3rd day of November, 2025, and to be published on the 13th day of November, 2025.

Charles L. Nickolay, Mayor

State of Minnesota)
)ss. (CORPORATE ACKNOWLEDGMENT)
County of Scott & Le Sueur)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2025.

Notary Public

ATTEST: _____
Joshua M. Tetzlaff, City Administrator

State of Minnesota)
)ss. (CORPORATE ACKNOWLEDGMENT)
County of Scott & Le Sueur)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2025.

Notary Public

THIS INSTRUMENT DRAFTED BY:

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