



**NO PETS**  
INDOORS



**SERVICE ANIMALS WELCOME**  
INCLUDING SERVICE ANIMALS WITH TRAINERS

## SERVICE ANIMAL FRAUD IS A CRIME

FLORIDA STATUTE 413.08(9)

Knowingly and willfully misrepresenting yourself as qualified to use a service animal, or as a service animal trainer, is a **second-degree misdemeanor** – up to **60 days in jail** and a fine of up to **\$500**, plus a mandatory **30 hours of community service**.

### WHAT IS A SERVICE ANIMAL?

F.S. 413.08(1)(d), (8)

A dog (or, under Florida law, a miniature horse) individually trained to do work or perform tasks directly related to a person's disability – such as guiding, alerting, retrieving, or interrupting a medical episode.

**A service animal is a working animal, not a pet.** Florida gives the same access rights to a trainer while engaged in training a service animal.

### WHAT DOES NOT QUALIFY

- Emotional support or comfort animals
- Companion or therapy animals that perform no trained task
- Any untrained pet

Comfort, companionship, and crime deterrence are not trained tasks. A vest, ID card, or online registration is not required and does not by itself prove anything either way.

### WHAT OUR STAFF MAY ASK

F.S. 413.08(3)(b)

When it is not readily apparent that the animal is trained to do work or perform tasks for a person with a disability, we may ask only:

1. **Is this a service animal that is required because of a disability?**
2. **What work or task has the animal been trained to perform?**

We may not ask about the nature or extent of a disability, require documentation or certification, or ask the animal to demonstrate its task. Under F.S. 413.08(3)(f), a service animal may be removed only if it is out of control and the handler does not take effective action, if it is not housebroken, or if its behavior poses a direct threat. Allergies and fear of animals are not valid reasons to deny access. If an animal is removed, the person must still be offered the opportunity to receive service without the animal.

### PET DOGS IN OUTDOOR DINING

F.S. 509.233

Pet dogs may be allowed in a designated outdoor area only if the local government has adopted an ordinance under Florida Statute 509.233 and this establishment holds a current permit.

## Pet Dogs in Outdoor Dining – Florida Requirements

Florida Statute 509.233 and guidance from the DBPR Division of Alcoholic Beverages and Tobacco

### ELIGIBILITY REQUIREMENTS

**Two requirements must be met before pet dogs can be allowed in an outdoor dining area.**

**1. Your city or county must have adopted a dog dining ordinance.** Florida Statute 509.233 does not allow pet dogs on its own – it only gives local governments the option to create an exemption. Many Florida jurisdictions never adopted one. If yours has not, pet dogs are not permitted anywhere on your property.

**2. Your establishment must hold a current local permit.** Where an ordinance exists, you must apply for and receive a permit from that local government before allowing any patron's dog. This is separate from your DBPR license. The application requires a scaled diagram of the designated outdoor area showing tables, chairs, entryways, and boundaries, plus the days and hours dogs will be permitted.

**The permit does not transfer when a business is sold. A new owner must reapply before continuing to allow dogs.**

Not sure where you stand? Search your city or county name plus “dog friendly dining ordinance” or “outdoor dog dining permit,” or call your local code enforcement or business licensing office. DBPR does not issue this permit – your city or county does.

### MINIMUM CONDITIONS ONCE YOU ARE PERMITTED

1. All food service employees must wash their hands promptly after touching, petting, or otherwise handling dogs.
2. Employees cannot touch, pet, or otherwise handle dogs while serving food or beverages or handling tableware, or before entering other parts of the establishment.
3. Patrons must be advised to wash their hands before eating. The establishment must provide waterless hand sanitizer at each table.
4. Dogs shall not come into contact with serving dishes, utensils, tableware, linens, paper products, or any other items involved in food service operations.
5. Dogs shall be kept on a leash at all times and under reasonable control.
6. Dogs shall not be allowed on chairs, tables, or other furnishings.
7. Table and chair surfaces and any spillage shall be cleaned and sanitized between seating of patrons.
8. Accidents involving dog waste shall be cleaned immediately and the area sanitized with an approved product. A kit containing cleaning materials must be kept in the designated outdoor area.
9. Signage reminding employees and patrons of the adopted rules must be posted as required by local ordinance.
10. Dogs are not permitted to travel through any indoor or non-designated outdoor portions of the establishment. Ingress and egress to the designated area cannot require entrance into or passage through any indoor area.
11. Local governments may adopt additional requirements that must be met to obtain a permit.

### COMMON QUESTIONS

**May patrons bring cats or other pets to the designated outdoor area?**

No. The law applies only to dogs. All other animals remain prohibited from food service establishments.

**What about indoors?**

Pet dogs are never permitted indoors, and no permit changes that. Dogs also may not pass through an indoor area to reach the patio, so if your only route to the outdoor space runs through the dining room, the area cannot be permitted.

**Do these 11 conditions cover everything?**

No. They are state minimums. Your local ordinance may impose additional requirements, and those are enforced by your city or county.

Please reach out to [info@serveitupsafe.com](mailto:info@serveitupsafe.com) or call us at (813) 781-8884 with any questions.

Provided as a courtesy. Confirm current requirements with your local jurisdiction before allowing pet dogs.