



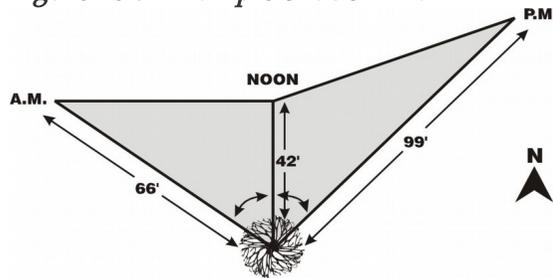
b. Latitude of the area in question. Table 16-2 is for use in the City.

c. Slope of the individual site is needed, as well as direction of the slope.

(5) In order to protect a portion of a site from shading, a shadow plan must be prepared, submitted along with a Development Order application, reviewed, and approved by the DCO.

(6) Any solar collector owner may, to ensure adequate and consistent access to solar radiation, purchase or acquire covenants or easements from adjoining, abutting, or neighboring properties.

Figure 16-9: Example Shadow Plan



Repeat this procedure for each object shown on the site plan. A shadow plan based on this example is shown on the following page.

Section 16.11 Patrons' Dogs in Designated Outdoor Dining Areas of Public Food Service Establishments

A. Purpose - The purpose of this Section is to provide an exemption procedure to certain provisions of the Food and Drug Administration Food Code to allow patrons' dogs within designated outdoor portions of public food service establishments. The Dixie Cup Clary Local Control Act, Section 509.233, Florida Statutes, grants the City of Largo the authority to provide exemptions from Section 6501.115, 2001 FDA Food Code, as adopted and incorporated by the Division of Hotels and Restaurants in Chapter 61C4.010(6), Florida Administrative Code. The procedure adopted pursuant to this section provides an exemption for those public food service establishments which have applied for and received a permit to those sections of the Food and Drug Administration Food Code that prohibit live animals in food service establishments.

B. Applicability - As used in this Section "public food service establishments" shall mean eating and retail food establishments as defined by Section 509.013(5) of the Florida Statutes. "Employee" or "employees" shall include, but is not limited to, the owner or owners of the public

food service establishment. No dog shall be in a public food service establishment unless allowed by state law and the public food service establishment has received and maintains a valid and unexpired permit pursuant to this Section allowing dogs in designated outdoor areas of the establishment.

C. Permit required - Requires a Building Permit.

D. Regulations - Public food service establishments that receive a permit for a designated outdoor area pursuant to this Section shall require that:

(1) All employees shall wash their hands promptly after touching petting or otherwise handling any dog(s).

(2) Employees are prohibited from touching, petting or otherwise handling any dog while serving or carrying food or beverages or while handling or carrying tableware or before entering other parts of the public food service establishment from the designated food area.



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(3) Patrons in a designated outdoor area shall be advised by appropriate signage at conspicuous locations, that they should wash their hands before eating. Waterless hand sanitizer shall be provided at all tables in the designated outdoor area.

(4) Patrons shall keep their dogs on a leash with a maximum length of 6 feet, pursuant to Article II, Section 533 of the City of Largo Code of Ordinances, at all times and shall keep their dogs under direct control.

(5) Employees and patrons shall not allow dogs to come into contact with serving dishes, utensils, tableware, linens, paper products of any other items involved with food service operations.

(6) Employees and patrons shall not allow any part of a dog to be on chairs, tables, or other furnishings. Dogs must remain on the floor/ground level and shall not be permitted in the lap of the patron.

(7) Employees shall clean and sanitize all table and chair surfaces with an approved product between seating of patrons.

(8) Employees shall remove all dropped food and spilled drink from the floor or ground as quickly as possible but in no event less frequently than between seating of patrons at the nearest table.

(9) Employees and patrons shall remove all dog waste immediately and the floor or ground shall be immediately cleaned and sanitized with an approved product. A kit with the appropriate materials for this purpose shall be kept near the designated outdoor area. Ingress and egress to the designated outdoor area shall not require entrance into or passage through any indoor area or non designated outdoor portions of the public food service establishment.

(10) Employees and patrons shall not permit dogs to be in, or travel through, indoor or non-designated outdoor portions of the public food service establishment.

(11) A sign or signs notifying the public that the designated outdoor area is available for the use of patrons and patrons' dogs shall be posted in a conspicuous manner, as determined by the City, so as to place the public on notice. The mandatory sign shall not be less than eight and one-half inches in width and eleven inches in height (8 ½ inches by 11 inches) and printed in easily legible type face of not less than twenty (20) point font size.

(12) A sign or signs informing patrons of these laws shall be posted on premises in a conspicuous manner and place as determined by the City. The mandatory sign shall be not less

than eight and one-half inches in width and eleven inches in height (8 ½ inches by 11 inches) and printed in easily legible type face of not less than twenty (20) point font size.

(13) The public food service establishment and designated outdoor area shall comply with all permit conditions and the approved diagram.

(14) Employees and patrons shall not allow any dog to be in the designated outdoor areas of the public food service establishment if the public food service establishment is in violation of any of the requirements of this section or if they do not possess a valid permit.

(15) Permits shall be conspicuously displayed in the designated outdoor area.

(16) Failure to comply with any one the requirements outlined herein shall constitute a violation of this Section. Each instance of a dog on the premises of a public food service establishment without a permit is a separate violation. Each violation of any of the requirements of this section is to be considered a separation violation.

(17) All dogs shall wear a current license tag or rabies tag and the patron shall have a current license certificate or rabies certificate immediately available upon request.



(18) Employees and patrons shall not permit patrons' dogs to be in food preparation areas.

E. Required submissions

(1) Public food service establishments must apply for and receive a permit from the City before patrons' dogs are allowed on the premises. The City shall establish a reasonable fee to cover the cost of processing the initial application and renewals. The application for a permit shall require such information from the applicant as is deemed reasonably necessary to enforce the provisions of this Section, but shall require, at a minimum, the following information:

- a. Name, location, mailing address, and license number of the public food service establishment issued by the Division of Hotels and Restaurants.
- b. Name, mailing address and telephone contact information of the permit applicant.
- c. A diagram and description of the outdoor area which is requested to be designated as available to patrons' dogs, including dimensions of the designated area; a depiction of the number and placement of tables, chairs, and restaurant equipment, if any; the entryways and exists to the designated outdoor area; the boundaries of the

designated area; and of the other outdoor dining areas not available for patrons' dogs; any fences or other barriers; surrounding property lines and public rights-of-way, including sidewalks and common pathways.

d. The diagram shall be accurate and to scale but does not need to be prepared by a licensed design professional. A copy of the approved diagram shall be attached to the permit.

e. A description of the days of the week and hours of operation that patrons' dogs will be permitted in the designated outdoor area.

(2) Indemnification Requirement

a. The public food service establishment, its officials, boards, members, agents and employees, shall indemnify, and defend with counsel reasonably acceptable to the city, and hold the city, its mayor, commissioners, officers, employees, attorney, agents and representatives of, from, and against all liability and expense including reasonable attorneys' fees and costs, and including the reasonable value of any services rendered by any officer or employee of the City in connection with any and all claims, including claims of injunctive or equitable relief, and damages whatsoever for personal injury

death or property damage, including loss of use, arising out of any permit granted to the public food service establishment or the regulation and enforcement of the provisions of this section hereunder, regardless of whether the act or omission complained of is authorized, allowed or prohibited by this section, except to the extent any losses arise from the negligence or willful omissions of the city, its mayor, commissioners, officers, employees, attorneys, agents or representatives.

b. Notwithstanding anything contained herein to the contrary, this indemnification provision shall not be construed as a waiver of any immunity from or limitation of liability to which the City is entitled to pursuant to Section 768.28 Florida Statutes. Furthermore, this provision is not intended to nor shall be interpreted as limiting or in any way affecting any defense the city may have under Section 768.28 Florida Statutes and is not intended to and shall not be interpreted to alter the extent of the City's waiver of sovereign immunity under Section 768.28 Florida Statutes. Nothing herein is intended to serve as a waiver of sovereign immunity by either party, and nothing herein shall be construed as consent by either party to be sued by third parties in any manner arising out of this Ordinance. This indemnification provision shall survive the



expiration or termination of Section 509.233 Florida Statutes, however or whenever expired or terminated.

F. Expiration and revocation

(1) A permit issued pursuant to this section shall expire automatically upon the sale of the public food service establishment and cannot be transferred to a subsequent owner. The subsequent owner may apply for a permit pursuant to this Section if the subsequent owner wishes to continue to allow patrons' dogs in a designated outdoor area of the public food service establishment.

(2) A permit may be revoked by the City if, after notice and reasonable time in which the grounds for revocation may be corrected, the public food service establishment fails to comply with any condition of approval, fails to comply with the approved diagram, fails to maintain any required state or local license, or is found to be in violation of any provision of this section. If the grounds for revocation is a failure to maintain any required state or local license, the revocation may take effect immediately upon giving notice of revocation to the permit holder.

(3) If a public food service establishment's permit is revoked, no new permit may be approved for the establishment until the expiration of 90 days following the date of revocation, providing that all issues continued within the revocation have been satisfied. This includes any outstanding fines associated with enforcement of this ordinance.

G. Complaints and reporting

(1) Complaints may be made in writing to the Community Development Department which shall accept, document and respond to all complaints and shall timely report to the Division of Hotels and Restaurants all complaints and the response to such complaints.

(2) The City shall provide the Division of Hotels and Restaurants with a copy of all approved applications and permits issued.

(3) All applications, permits, and other related materials shall contain the Division issued license number for the public food service establishment.

(4) The patron or the designated person in charge of the public food service establishment, or both, may be issued civil citations for each violation of this ordinance.