

Service Animal Policy

The Law: Under the Americans with Disabilities Act (ADA), State and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go.

What is considered a service animal? A service animal is a dog (of any breed) or miniature horse that is individually trained to do work or perform tasks for a person with a disability.

How to service animals behave? Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

How will we know this is a service animal? When it is not obvious what service an animal provides, only limited inquiries are allowed. *Staff may ask two questions: (1) is the dog/horse a service animal required because of a disability, and (2) what work or task has the dog/horse been trained to perform.*

Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog/horse, or ask that the dog/horse demonstrate its ability to perform the work or task.

Disruptive Behavior:

Dog: A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

Miniature Horse: The regulations set out four assessment factors to assist entities in determining whether miniature horses can be accommodated in their facility. The assessment factors are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

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