

What is a service animal?

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Service animals perform some of the functions and tasks that the person with a disability cannot perform for him or herself. A service animal is not a pet. Emotional support animals, comfort animals, and therapy dogs are not service animals under Title II and Title III of the ADA.

Where are service animals allowed?

Under the 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 of the facility where the public is normally allowed to go.

How can I tell if it's a service animal?

When it's not obvious what service an animal provides, only limited inquiries are allowed.

Staff may only ask these two questions:

Is the dog a service animal required because of a disability, and
What work or task has the dog been trained to perform?

You may not ask about a person's disability, require medical documentation, require a special identification card or training documentation for the service animal or ask that the service animal demonstrate its ability to perform the work or task.

Does the service dog need to be on a leash?

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.

What if someone is allergic to dogs?

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals.

Can someone be asked to leave if the service animal is being disruptive?

Yes, a person with a disability may be asked to remove the service animal from the premises if:

The dog is out of control and the handler does not take effective action to control it, or
The dog is not house broken.

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 Horses

Revised ADA regulations have a separate provision for miniature horses that have been specifically trained to do work or perform tasks for people with disabilities.

What are the requirements?

A miniature horse generally ranges in height from 24 to 34 inches measured to the shoulders and weighs between 70 and 100 pounds. There are four assessment factors that determine whether a miniature horse can be accommodated in a facility:

https://www.ada.gov/service_animals_2010.htm

<http://www.michigan.gov/mdcr/0,4613,7-138-74964--,00.html>

Do not hesitate to contact me if you need clarification.

Sincerely,
Kevin

Kevin King



Service Animal – A Legal Overview

Overview

Since March 15, 2011, only dogs and miniature horses are recognized as service animals under Title II and III of the ADA, access to public entities and private businesses. However, under the employment provisions of Title I and the transportation provisions of Title II of the ADA, along with other laws, including the Fair Housing Act and the Air Carrier Access Act, a broader definition of service animal stands that is not restricted to dogs and miniature horses.

Service Animal Defined

A service animal is an animal that is INDIVIDUALLY trained to do work or perform tasks for a person with a disability.

Where Service Animals are allowed

Service animals are to accompany an individual in all areas where members of the public are allowed to go.

What Can You Ask

When it is not obvious what service an animal provides, only limited inquiries are allowed.

You can ask two questions:

1. Is the dog a service animal required because of a disability? AND
2. What work or task has the animal been trained to perform?

You CANNOT ask:

1. Ask the animal to demonstrate its ability to perform the work or task;
2. Require medical documentation;
3. Inquire into the nature of the individual's disability;
4. Require a special identification card or vest.

What can you expect from the Individual who has the Service Animal?

An individual who has a service animal is expected to

- (1) Keep the animal in control at all times; and
- (2) Ensure the animal is toilet trained.

Fruitport District Library
47 Park Street, Fruitport, MI 49415

Regulations on Pets and Service Animals

PURPOSE

**To ensure compliance with the Accessibility Standards for Customer Service regarding the presence of service, assistance or therapy animals in public facilities.*

**To more clearly define various types of service, assistance and therapy animals and to provide guideline to Library Staff.*

**To protect Library patrons, staff and property from injury/damage.*

POLICY

It is the policy of the Fruitport District Library (FDL) to prohibit all animals from entering Library facilities, with the exception of service, therapy or assistance animals, assistance animal trainees, and animals featured in programs sponsored by FDL. Violators will be asked to leave the Library and/or to remove their animals from the building.

Definitions

- 1. Service Animals – animals that are individually trained to perform tasks for people with disabilities such as guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure, or performing other special tasks. Service animals are working animals, not “pets”.*
- 2. Assistance Animals – a newer term being proposed to replace the term “service animals”. It is similar to service animal but instead of limiting the animal to assisting one person with a disability, an assistance animal works either with specific person with a disability or a group of people with disabilities under the guidance of a trainer or owner. The animal's training is similar to that given service animals.*
- 3. Therapy Animals- they provide people with contact to animals, but are not limited to working with people who have disabilities. They are usually the personal pets of their handlers, and work with their handlers to provide service to others.*

We have a more generic Animal Policy that includes service animals in it:

1.6 ANIMALS IN THE LIBRARY

Because animals in the library are incompatible with the essential purpose of the library to serve as a quiet research and study facility, it is the library's policy not to allow persons to bring animals into the library with the exception of a service animal accompanying a person with a disability or animals participating in controlled library-sponsored programs.

A service animal is any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The provision of emotional support, well-being, comfort, or companionship do not necessarily constitute work or tasks for the purposes of the definition and therefore will be allowed or prohibited on a case by case basis.

While on Library property a service animal shall be under the control of its handler. Usually this means the service animal must have a harness, leash, or other tether. Anytime a service dog is behaving in a manner incompatible with the essential purposes of the library, the library will immediately require that the service dog be brought into conformity or leave the library.

Incompatible behavior includes:

- barking
- urinating/defecating on floor
- running away or otherwise leaving the side of the owner
- biting or other threatening actions such as growling, teeth bared, lunging on others besides animal owner
- damaging library or personal property