

William B. Ogden Free Library
ANIMALS IN THE LIBRARY

Purpose: To determine the conditions under which animals will be permitted in the library.

Definitions:

Service Animal: The Americans with Disabilities Act defines a service animal as a dog or miniature horse that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog or miniature horse must be directly related to the person's disability. (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.)

Emotional Support/Therapy/Comfort/Companion Animal: These terms are used to describe animals that provide comfort just by being with a person. Because they have not been trained to perform a specific job or task, they do not qualify as a service animal under the ADA. These types of animals are not permitted in the library.

Psychiatric Service Animals: The ADA makes a distinction between psychiatric service animals and emotional support animals. If the dog has been trained to sense that an anxiety attack is about to happen and take a specific action to help avoid the attack or lessen its impact, that would qualify as a service animal. However, if the dog's mere presence provides comfort, that would not be considered a service animal under the ADA.

Statement of Policy:

- Pets are not allowed in the library.
- Animals that are necessary for a library program are allowed in the library.
- Service animals or service animals in training are allowed in all areas of the library where members of the public are normally allowed to go.
 - Library staff may ask only the following two questions: (1) is the dog a service animal required because of a disability? and (2) what work or task has the dog been trained to perform?
 - Library staff may not request any documentation for the animal, require that the animal demonstrate its task, or inquire about the nature of the person's disability.
 - The Americans with Disabilities Act requires that service animals must be under the control of the handler at all times.
 - The service animal must be harnessed, leashed, or tethered unless either of these devices interferes with the animal's work or the person's disability prevents the use of these devices.
 - A service animal must generally stay on the floor or be carried by the person using it. Service animals are not permitted on library furniture.
 - If a service animal is out of control, barks repeatedly, or is not housebroken, the animal must be removed from the library.
 - When a service animal must be removed, library staff will offer the person with the disability an opportunity to obtain materials or services without the animal's presence.

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- Other library users' allergies or fear of dogs are not valid reasons for the removal of service animals.

Sources:

Americans with Disabilities Act Title II Regulations: Part 35 Nondiscrimination on the Basis of Disability in State and Local Government Services http://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm

U.S. Department of Justice revised regulations implementing Title II (state and local government services) of the Americans with Disabilities Act http://www.ada.gov/service_animals_2010.htm

U.S. Department of Justice's publication "Frequently Asked Questions about Service Animals and the ADA" https://www.ada.gov/regs2010/service_animal_qa.html

Adopted November 2019

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