



SERVICE ANIMAL POLICY

The Washington County Library System uses the same definition of “service animal” as is used in the Americans with Disabilities Act Title II regulations found at Title 28, Section 36.104 of the Code of Federal Regulations:

Service animal means 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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

28 C.F.R. § 36.104.¹

Service Animals as defined above are allowed on the Washington County Library System premises in conjunction with the following terms. Animals that do not meet the above definition are not allowed.

1. A person with a disability may be accompanied on the premises unless the service animal is out of control and the handler does not take effective action to control it, or the animal is not housebroken. If either of these situations applies, the library staff may ask the individual to remove the animal from the premises.
2. A person who is not disabled may be accompanied on the premises by an animal that is in training to become a service animal or a police service canine and is subject to the policies here stated to the same extent as if the animal were a service animal as defined above.

¹ Where reasonable modifications in policies, practices and procedures can be made by the library to permit the use of miniature horses as service animals by people with disabilities, the policy shall apply in every other respect as if the miniature horse were included in the definition of service animal. Whether reasonable modifications can be made will be determined on a case by case basis by the COA, taking into consideration:

- (i) The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- (ii) Whether the handler has sufficient control of the miniature horse;
- (iii) Whether the miniature horse is housebroken; and
- (iv) Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

28 C.F.R. § 35.136(i)(2).

3. A person with a disability is liable for any loss or damage caused or inflicted to the premises by the person's service animal to the same extent that any patron is responsible for any loss or damage caused by the patron.
4. Care and supervision of the service animal is the sole responsibility of the disabled individual who benefits from the animal's use. The service animal must be controlled by and remain with the disabled individual at all times. The disabled individual is responsible for providing care and food for the animal, and is also responsible for ensuring the cleanup of the animal's waste should the animal prove to not be housebroken. The service animal must be housebroken and will be prohibited from the premises if it is not. The handler must keep the service animal under control, including ensuring that it is not a hazard to the safety and mobility of others. Service animals are not allowed to roam free. They should have a leash, harness, or some other tether unless the person, because of his or her disability, is unable to use a leash, harness, or other tether, or the use of such would interfere with the service animal's safe, effective performance of work or tasks. If this is the case, the animal must be otherwise under the handler's control through the use of voice control, signals, or other effective means.
5. The service animal should be in good health, properly groomed and immunized against common diseases. Unless otherwise provided by law, the service animal must be currently immunized against rabies and must wear a current rabies vaccination tag or current county or municipality license tag where the licensure requires rabies vaccination.
6. Library staff and volunteers may not ask a disabled person about the nature of their disability but may ask if it is not readily apparent, whether the animal is required because of a disability and what work or task the animal has been trained to perform.
7. Patrons or staff who state they have allergies or other animal aversions should be located away from the animal as practicable.

If it is necessary to prohibit an animal from the premises, the disabled individual will be given the opportunity to obtain services without having the service animal on premises.

/s/Sidney Atkin
Library Board Chairperson

/s/Joel Tucker,
Library Director

Adopted by the Washington County Library Board
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