

SERVICE ANIMALS

SUMMARY

The Americans with Disabilities Act (ADA) is a federal law. This law obligates State and local governments to allow people with disabilities to bring their service animals onto public premises in whatever areas the general public is allowed.

PROCEDURE

Service animals are 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. County facilities may have “no pets” policies, but service animals are not subject to policies regarding pets.

Under the ADA, government, businesses, and organizations that serve the public must allow people with disabilities to bring their service animals into all areas of the facility where customers are normally allowed to go. The ADA applies to all facilities open to the public. Service animals of any type may not be refused admittance on the basis of local health department regulations or other state or local laws. Allergies and fear of animals are generally not valid reasons for denying access or refusing service to people with service animals.

Government agencies, businesses, and organizations may ask if an animal is a service animal and ask what tasks the animal has been trained to perform. Government agencies, businesses, and organizations cannot ask questions about the owner’s disability nor can they require the owner to present any special identification cards or certifications for the animal that identify it as a service animal. However, the animal’s owner must comply with any applicable Department of Animal Services requirements regarding vaccinations and licensing.

People with disabilities who use service animals cannot be charged extra fees, isolated from other customers, or treated less favorably than other customers. The same requirements relating to service animals apply to vehicles such as busses and trains. No extra fee can be charged for the space needed by the service animal. However, if a government entity normally charges customers for damage that they cause, a customer with a disability may be charged for damage caused by his or her service animal.

A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the animal is out of control and the animal's owner does not take effective action to control it (for example, a dog that barks repeatedly during a public meeting) or (2) the animal poses a direct threat to the health or safety of others by exhibiting aggressive behavior. In these cases, the person with the disability should be given the option to obtain services or participate in programs without having the animal on the premises.

If employees find it is necessary to guide an animal through or around a metal detector, gate, or other obstacle, they should not approach or touch the animal without consulting with the owner. Also, they should not approach or touch the owner of the animal, or any person with a disability, without first consulting him or her.

Except where the County has responsibility for the owner of a service animal, the care or supervision of a service animal is solely the responsibility of his or her owner and the County is not required to provide care, food, or a special location for the animal. However, building managers and security personnel shall be able to direct the owner of a service animal to a nearby place where the animal can relieve itself.

CONTACT(S):

Department/Division

Office of ADA Coordination