

WEBER COUNTY LIBRARY SYSTEM

Library Board Policy

Pet & Service Animal

The Library Board of Trustees has established a Pet & Service Animal Policy to help guide the public in acceptable use of the Library building and grounds. Employee guidance in administering this policy includes the following:

Where are Service Animals Allowed?

Under the Americans with Disabilities Act (ADA), public libraries generally must allow service dogs to accompany people with disabilities in all areas where people are normally allowed to go. For example, in the restrooms, food service areas, reading and study areas, computer commons, meeting rooms, and outdoor venues. It may be appropriate to exclude service animals from food preparation areas, such as the commercial kitchen if, in the judgment of the building manager, the presence of the animal poses a threat to health or safety.

Service Animals Must Be under Control

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.

Inquiries, Exclusions, Charges, and Other Specific Rules Related to Service Animals

When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions:

- Is the dog a service animal required because of a disability?
- What work or task has the dog 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, or ask that the dog demonstrate its ability to perform the work or task.

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a library meeting room or in a commons area such as the teen center, they both should be accommodated by

assigning them, if possible, to different locations within the room or different rooms in the facility.

A person with a disability cannot be asked to remove their service animal from the premises unless:

- The dog is out of control and the handler does not take effective action to control it, or
- 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 access Library collections or obtain other services without the animal's presence.

Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.

People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. Those fines and fees charged to all Library users, such as overdue fines and fees for lost or damaged materials, fees for damage done to the building or equipment, fees for meeting room reservations, for example, should also be charged to those with service animals.

Staff are not authorized or required to provide care or food for a service animal.

Miniature Horses

In addition to the provision about service dogs, ADA regulations have a new, separate provision relating to miniature horses that have been individually trained to do work or perform tasks for people with disabilities.

Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and weigh between 70 and 100 pounds. The Library Board will modify its policy to permit miniature horses where reasonable. Assessment of whether a miniature horse can be accommodated is a Library administrative responsibility and will include the following factors.

- Whether the miniature horse is housebroken;
- Whether the miniature horse is under the owner's control;
- Whether the facility can accommodate the miniature horse's type, size, and weight; and
- Whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the Library.

(Source: Department of Justice website: https://www.ada.gov/service_animals_2010.pdf)