



ANIMALS IN THE LIBRARY POLICY

Assistance and Service Animal (Assistance or Service Animal mean the same thing): The Americans with Disabilities Act (ADA) defines service animals as dogs or miniature horses that are individually trained to do work or perform tasks for the benefit of an individual with a disability. 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.

Miniature Horses: Federal regulations allow miniature horses to be recognized as lawful service animals. Therefore, an individual with a disability may be allowed to utilize a miniature horse as a service animal, subject to all the restrictions stated in this policy, but also subject to additional considerations. When determining whether to allow a miniature horse to function as a service animal, the library may consider the following before permission is granted to utilize a miniature horse as a service animal.

- The horse in question may be no more than 34 inches tall measured at its shoulder and it may weigh no more than 100 pounds.
- The horse must have been individually trained to do work or perform tasks for the benefit of the individual with a disability.
- The handler of the horse must be able to be in sufficient control of the horse and the horse must be housebroken.
- The presence of the horse may not compromise legitimate safety requirements that are necessary for the safe operation of library service.
- Any rules in this document that apply to “dogs” or “service animals” apply to miniature horses that are service animals also.

Service Dogs in Training: Service dogs being trained for the purpose of assisting persons with disabilities are entitled to access to library facilities provided that any such service dog in training is accompanied by an approved trainer.

Emotional Support/Therapy/Comfort/Companion Animal: These terms are used to describe animals that provide comfort just by being with a person. Since they have not been trained to perform a specific job or task, they do not qualify as a service animal under the ADA or Texas law and do not have to be admitted into public spaces. The effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks.

Other Species: Other species of animals, whether wild or domestic, trained, or untrained, are not considered service animals under the ADA or Texas law.

Library Staff Inquiries

- When it is not obvious that a dog brought into the library is a service animal, a staff member may ask only two questions. They are:

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

- Library 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.

Animal Endangerment: Marion Community Library does not condone leaving animals outside the library in a way that may endanger the animal or library guests. The library reserves the right to contact the local authorities regarding any unattended animals on its premises.

Rules

- Service animals or service animals in training are allowed in the library.
- Animals that are necessary for library programming are allowed in the library.
- Emotional support, therapy, comfort, or companion animals are not allowed in the library.
- Pets or any other animals are not allowed in the library.
- Service animals are not allowed on library furniture and must remain on the floor or be carried (as appropriate) by their handlers at all times.
- Service animals must be under the immediate control of their handlers at all times.
- Patrons are not allowed to interfere or impede a service animal in the performance of its duties.
- The service animal must be harnessed, leashed, or tethered unless these devices interfere with the animal's work or the person's disability prevents the use of these devices.
- Service animals that are not housebroken, bark repeatedly, are uncontrolled, or are otherwise disruptive will be required to leave the premises.
- A person with a disability who uses a Service Animal is liable for any damages done to the premises or facility by the animal.
- 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.
- Other library users' allergies or fear of dogs are not valid reasons for the removal of service animals.
- Animals may never be left unattended on library grounds.
- Misrepresenting a dog as a service animal is a violation of State of Texas Human Resources Code Sec. 121.006 and may result in the suspension of library privileges.

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