



Library Service Animals Policy

Purpose

This Library Service Animals Policy (the “Policy”) is made to provide guidance to staff and guests who rely on service animals while in the North Richland Hills Library (the “Library”). The Library strives to provide a safe and welcoming environment for everyone; therefore, in accordance with Title III of the Americans with Disabilities Act (the “ADA”), service animals are welcomed and permitted in the Library. The Library recognizes that guests with disabilities may have service animals trained to assist or accommodate an individual with a sensory, mental, or physical disability or to perform tasks for the benefit of an individual with a disability. The Library recognizes legal rights under federal and state laws regarding the use of service animals. The Library also considers the safety and health of all its guests and staff to be of utmost priority.

Definitions

Service Animal: The 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, including a physical, sensory, psychiatric, intellectual, or other mental 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 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; and helping individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. Only dogs and miniature horses are recognized as service animals under Title II and III of the ADA.

Emotional Support/Therapy/Comfort/Companion Animal: These terms are used to describe animals that provide comfort just by being with an individual. Because 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 as work or tasks.

Disability: The term “disability” means, with respect to an individual:

- a. A physical or mental impairment that substantially limits one or more of the major life activities or major bodily functions;

- b. A record of such an impairment;
- c. Being regarded as having such an impairment; or
- d. An impairment that is episodic or in remission, if the impairment would substantially limit a major life activity when active.

If an individual meets any one of these tests, they are considered to be an individual with a disability for purposes of coverage under the ADA.

Handler: A service animal handler is an individual with a disability who is assisted by a service animal or a personal care attendant who handles the animal for an individual with a disability.

Policy

- (1) Pets or other animals are not allowed in the Library. Pets in carriers, bags, or purses are not allowed in the Library.
- (2) Animals that are necessary for certain Library programs are allowed in the Library.
- (3) Service animals or service animals in training are allowed in the Library.
- (4) Under the ADA, a service animal is an animal that has been individually trained to do work or perform tasks for an individual with a disability. The animal must be trained to take a specific action to assist the individual with a disability, and the tasks performed must be directly related to the disability.
- (5) Emotional support, therapy, comfort, or companion animals which have not been trained to perform a specific job or task do not qualify as service animals under the ADA and are not allowed in the Library.
- (6) Handlers of service animals will indicate that the animal is a working animal and not a pet. Until staff gets to know a guest with a service animal, staff should be asking the below questions to any guest that brings in an animal. To help prevent guests from feeling interrogated or unwelcome, staff should begin questions with a disclaimer to the effect of, "until our staff gets to know you and your service animal, you may be asked these questions again. I apologize for the inconvenience, but we want to make sure service animals are able to do their job without interference from untrained animals." A staff member may ask the following questions:
 - a. Is the animal a service animal required because of a disability? and
 - b. What specific work or task has the animal been trained to perform?

- (7) Library staff may not request any documentation for the animal, require that the animal demonstrate its task, or inquire about the nature of the individual's disability.
- (8) 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.
- (9) The service animal must be harnessed, leashed, or tethered, unless these devices interfere with the animal's work or the individual's disability prevents the use of these devices. If the animal cannot be leashed or harnessed, it must be under the handler's control at all times via voice, signals, or other effective measures.
- (10) Service animals are not required to be licensed or certified by the state, local government, or training program, or identified by a special harness or collar.
- (11) Service animals that are aggressive, uncontrolled, bark repeatedly, are not housebroken or are otherwise disruptive will be asked to leave the premises.
- (12) The handler is responsible for the clean-up of all animal waste.
- (13) Handlers of service animals are solely responsible for any damage to persons or property caused by their service animal.
- (14) When a service animal must be removed, Library staff will offer the individual with the disability an opportunity to obtain materials or services without the presence of the service animal.
- (15) Other Library users' allergies or fear of animals are not valid reasons for the removal of service animals.
- (16) Animals may never be left unattended on Library grounds.
- (17) Service animals must be healthy, clean, and groomed (no fleas, ticks, or sores).

Service Animals in Training

Service animals being trained for the purpose of assisting individuals with disabilities are entitled to access the Library facilities under State of Texas Code Section 121.003(i), provided that any such service animal in training is accompanied by a trainer.

Other Species

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

Misrepresenting Service Animals

Misrepresenting an animal as a service animal is a violation of Texas Human Resources Code Section 121.006 and may result in suspension of Library privileges.

Asking Patron to Leave with Animal

Guests will be asked to leave the Library with their animal in the following situations and will be welcome to return to the Library without the animal, unless their Library privileges have been suspended.

- (1) The animal is not a service animal;
- (2) If the answer to the question, “is the animal a service animal required because of a disability? Is “no;”
- (3) If the guest provides an insufficient answer to the question, “what work or task has the animal been trained to perform?” An example of an insufficient answer would be, “it is my therapy (or comfort) dog;”
- (4) The service animal is aggressive, uncontrolled, barks repeatedly, is not housebroken or is otherwise disruptive, and the animal’s handler does not take effective action to control it; or
- (5) The service animal is not housebroken.
- (6) The service animal bites or attacks a patron or staff member. This will result in a permanent suspension.
- (7) The animal repeatedly disrupts service over time such as continual barking, wandering, or jumping on customers. This may result in a temporary or permanent ban.

Animal Endangerment

The Library does not condone leaving non-service animals outside the Library in a way that may endanger the animal or Library guests. The Library reserves the right to contact the police regarding any unattended animals on its premises.

References

ADA Requirements: Service Animals published by U.S. Department of Justice Civil Rights Division. <https://www.ada.gov/resources/service-animals-2010-requirements/>