

**FRANKLIN PARK PUBLIC LIBRARY DISTRICT
ANIMAL POLICY**

ANIMALS IN THE LIBRARY

It is the policy of the Franklin Park Public Library District to prohibit all animals from entering the library facility, with the exception of service dogs and miniature horses, service dogs and miniature horses in training, or animals featured in programs sponsored by the Franklin Park Public Library District (FPPLD).

1. BACKGROUND AND DEFINITIONS

1.1 Service Dog

According to the Americans with Disabilities Act (ADA), a service dog is a dog that is individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include but are not limited to: guiding people who are blind; alerting people who are deaf; pulling a wheelchair; alerting and protecting a person who is having a seizure; reminding a person with mental illness to take prescribed medications; calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. 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. Beginning on March 15, 2011, only dogs are recognized as service animals under Titles II and III of the ADA.

1.2 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 of such individual;
- (b) A record of such an impairment; or
- (c) Being regarded as having such an impairment.

If an individual meets any one of these three tests, he or she is considered to be an individual with a disability for the purposes of coverage under the ADA.

1.3 Miniature Horses

Notwithstanding the limitation of only dogs being recognized as service animals, federal regulations do allow the consideration of a miniature horse to also be recognized as a lawful service animal [28 CFR 35.136(i)(1)]. An individual with a disability may be allowed to utilize a miniature horse as a service animal, subject to all of the restrictions stated in this policy, but also subject to the following factors set forth by the ADA:

- (a) 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.
- (b) As with dogs, the horse must have been individually trained to do work or perform tasks for the benefit of the individual with the disability
- (c) As with dogs, the handler of the horse must be able to be in sufficient control of the horse, and the horse must be housebroken.
- (d) The presence of the horse may not compromise legitimate safety requirements that are necessary for the safe operation of library service.

Adopted: 11/12/2019

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ANIMAL POLICY**

2. POLICY

- 2.1 No pets or animals other than service dogs, service miniature horses (see 1.3), or service dogs and miniature horses in training are allowed in the Library. Owners of pets will be asked to remove them from the Library.
- 2.2 Individuals with disabilities may bring their service dogs into all areas of the Library where members of the public are normally allowed. All service dogs must be under the full custody and control of their handler at all times. Also, all service dogs must be on a leash or harness at all times unless the handler is unable to leash or harness the dog because of a disability or use of a leash or harness would interfere with the dog's safe, effective performance of work or tasks. If the service dog cannot be leashed or harnessed, it must be otherwise under the handler's control (e.g. voice control, signals, or other effective means). Owners of the service dog are solely responsible for the supervision and care of the service dog. Owners must keep the service dog directly with them at all times.
- 2.3 Users of service dogs are not required to show papers or to prove a disability. Service dogs are not required to be licensed or certified by a state or local government or training program, or be identified by a special harness or collar.
- 2.4 Staff may ask two questions: (1) Is the dog a service animal required because of a disability? (2) What work or task has the dog been trained to perform? Owners of service dogs in training will indicate that they are working dogs and not pets. Terms used may include assistance, service, guide, hearing, or helping dog. Staff may not ask about the owner's disability.
- 2.5 A person with a disability may not be asked to remove his or her service dog or service dog in training from the Library unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, Library staff must give the person with the disability the option to obtain library services without having the service dog or service dog in training on the premises.
- 2.6 Fear of allergies, annoyance on the part of other patrons or employees, or fear of dogs are generally not valid reasons for denying access or refusing service to people with service dogs or service dogs in training.

3. EXCEPTION

- 3.1 The Library may have animals in the building as part of its educational and recreational offerings.

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4. ANIMAL ENDANGERMENT

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

5. References

The Americans with Disabilities Act (ADA) of 1990, Revised. The Department of Justice published revised regulations implementing the Americans with Disabilities Act (ADA) for title II (State and local government services) and title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register.

Federal Regulations: Title 28. Judicial Administration, Chapter I. DEPARTMENT OF JUSTICE, Part 35. NONDISCRIMINATION ON THE BASIS OF DISABILITY IN STATE AND LOCAL GOVERNMENT SERVICES, Subpart B. General Requirements, Section 35.136. Service animals [28 CFR 35.136(i)(1)].