

Town of Gainesville Public Library, Silver Springs, New York

ANIMALS IN THE LIBRARY POLICY

The Town of Gainesville Public Library (“the Library”) recognizes that patrons with disabilities may have service dogs that are trained to assist or accommodate a person with a sensory, mental, or physical disability or to perform tasks for the benefit of a disabled individual. The Library recognizes legal rights under federal and state laws regarding use of service dogs. The library also considers the safety and health of all its patrons, the public, and employees to be of utmost priority.

BACKGROUND AND DEFINITIONS

- **SERVICE DOG**

“Service dogs” are dogs that are individually trained to do work or perform tasks for people with disabilities, as defined by the Americans with Disabilities Act.

Examples of such work or tasks include: 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; or performing other duties.

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.

- **DISABILITY**

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

- A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- A record of such an impairment; or
- 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 purposes of coverage under the ADA.

- **POLICY**

No pets or animals other than service dogs, or service dogs in training, are allowed in the Library. Owners of pets may be asked to remove them from the Library.

Individuals with disabilities may bring their service dogs into all areas of the Library where members of the public are normally allowed to go. 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. Therefore, owners must keep the service dog directly with them at all times.

Users of service dogs are not required to show papers or 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.

Employees may ask two questions:

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

Owners of service dogs or service dogs in training must indicate that they are working dogs and not pets. Terms used may include include assistance, service, guide, hearing, or helping dog. Employees may not ask about the owner's disability.

A person with a disability may not be asked to remove their service dog or service dog in training from the Library unless the presence, behavior, or actions of the service dog constitute an unreasonable risk of injury or harm to property or other

persons, or the dog is disruptive and the owner does not take effective action to control it. In these cases, Library employees 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. 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.

- **EXCEPTIONS FOR LIBRARY PROGRAMS**

Pending approval by the Library Director or their designee, the Library may have animals in the building as part of its educational and recreational programs.

- **ANIMAL ENDANGERMENT**

The Library does not condone leaving non-service animals outside the Library in a way that may endanger the animal or Library patrons. The Library reserves the right to contact the police regarding any unattended animals on its premises. The Library also reserves the right to ban patrons who endanger animals in such a way, in accordance with the Library's Safety Policy.

- **GRIEVANCES**

The Library is committed to the equitable use of the Library for all its patrons. Any patron who feels their use of the Library has been compromised due to this policy short report grievances to the Library Director or their designee.

- **CITATIONS AND RELATED REFERENCES**

Americans with Disabilities Act (ADA) of 1990, Title II, Section 35.136 (Revised September 15, 2010); Beginning on March 5, 2011, only dogs are recognized as service animals under Titles II and III of the ADA.

Adopted by the Board of Trustees: *November 14, 2022*