

## **Service Animals**

### **Purpose**

The purpose of this policy is to establish procedures for the use of service animals in TCCL facilities.

### **Policy**

TCCL acknowledges its responsibility to permit individuals with disabilities to be accompanied by a service animal in its facilities and programs and intends to comply with all state and federal laws, rules and regulations regarding the use of service animals by TCCL patrons with disabilities.

### **Definitions**

"Service animal" is defined by the Americans with Disabilities Act (ADA) as any service dog that is 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. Service animal is limited to the animals defined under the ADA and does not include any other species of animal, wild or domestic, trained or untrained. Service animal does not include an animal used or relied upon for crime deterrence, emotional support, well-being, comfort, or companionship.

### **Procedures/Requirements**

Any TCCL customer requiring the accompaniment of a service animal for purposes of this policy is welcome in all areas of TCCL facilities and programs that are open to the public (except in situations determined to apply under item D. below).

- Animals, other than service animals assisting persons with disabilities or service animal trainees accompanied by a trainer, are not permitted inside TCCL facilities.
- When it is not obvious what service an animal provides, TCCL staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff will not 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. TCCL is not responsible for providing any staff member to walk the service animal or provide any other care or assistance to the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis in the discretion of the building administration.
- Pursuant to federal law, TCCL retains discretion to exclude or remove a service animal from TCCL property if:
  - a) The service animal is out of control and/or the service animal's handler does not effectively control the service animal's behavior;
  - b) The service animal is not housebroken;
  - c) The service animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications; or,
  - d) Permitting the service animal would fundamentally alter the nature of the service, program, or activity.

### **Liability**

The customer will be responsible for any damage to TCCL or personal property and any injuries to individuals caused by the service animal. The customer who uses a service animal on TCCL property will hold the TCCL harmless and indemnify TCCL from any such damages.

**Appeals and Grievances**

Any person dissatisfied with a decision concerning a service animal can file a grievance, using TCCL's grievance procedures. ([See Appendix.](#))

**Special Provisions for Miniature Horses**

Requests to permit a miniature horse to accompany a TCCL customer with a disability will be handled on a case-by-case basis, considering: (a) the type, size, and weight of the animal and whether the facility can accommodate its features; (b) whether the animal is sufficiently controlled by the handler; (c) whether the animal is housebroken; and, (d) whether the animal's presence in the facility compromises the legitimate safety requirements for safe operation. Other requirements which apply to service animals shall also apply to miniature horses.