

## **ANIMALS IN THE REHOBOTH BEACH PUBLIC LIBRARY**

### **Policy Regarding Service Animals', Therapy dogs', Comfort Dogs' and Pet Dogs' Access to Library Facilities**

#### **1. Policy**

A. To prevent possible injury to library patrons and staff, and to prevent possible damage to library property, animals are not permitted in any Rehoboth Beach Public Library facility, except trained Service Animals, animals that are part of a library-sponsored program and specific other dogs. This policy extends to library grounds (the entries, sidewalks, and parking lots adjacent to the building). Animals must be leashed, harnessed, or caged; under their owners' control; and not left unattended by their owners.

B. Rehoboth Beach Public Library affords individuals with disabilities, who require the assistance of a Service Animal, with equal opportunity to access library property, programs, and activities.

#### **2. Definitions**

##### **A. Service Animal**

A Service Animal is a working dog (or miniature horse, as identified below) that has been individually trained to do work or perform essential tasks for an individual with a disability as defined by the Federal Americans With Disability Act (ADA) and the Delaware Americans With Disabilities Act. The task(s) performed by the Service Animal ~~must~~ be directly related to the person's disability. The working Service Animal ~~must~~ be trained to perform a specific major life activity action when needed to assist the person with a disability. The following are examples of such a major life activity includes seeing, hearing, eating, walking, standing, sitting, reaching, lifting, bending, speaking, and communicating. This is a representative list of major life activities and is not intended to be ~~-~~all-inclusive.

**B. Comfort Dogs, Therapy Dogs, Pet Dogs**

A comfort dog or therapy dog differs from a Service Animal because it has not been trained to assist in providing a major life activity for its owner. A comfort or therapy dog provides emotional support or passive comfort for its owner. A comfort or therapy dog (also known as an emotional support dog) is not a Service Animal under this policy. Access to the library for pet dogs, comfort dogs or therapy dogs should be directed to the Library Director. Therapy dogs, comfort dogs and household pet dogs may be allowed, but must be leashed, harnessed, or caged, or at all times under the supervision/control of an owner or trainer.

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**3. Where Service Animals Are Allowed**

Generally, owners of Service Animals are permitted to be accompanied by their Service Animal in all areas of the library's facilities and programs where the owner is allowed to go. Such areas include public areas, public events, and other areas where library programs or activities are held.

**4. Assessing Service Animal Status**

**A. Permitted Inquiries**

Library personnel shall permit a Service Animal that has been trained to provide one of the major life activities access to an event or activity with its owner when it is readily apparent that the animal is trained to do work or perform tasks for its owner. Examples include a dog guiding an individual who is blind or has low vision, pulling an individual's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability.

If the need for the Service Animal is not apparent, library personnel may only ask the following of Service Animal owners:

- (a) Whether the Service Animal is required because of a disability; and

(b) What major life activity work or task the animal has been trained to perform for the individual. No further inquiries are permitted.

If the owner states that the animal is required because of a disability and that the animal has been trained to assist in providing a major life activity -or a task for the owner, then the Service Animal shall be admitted. If there is any doubt that an animal is a Service Animal, library personnel should admit the owner with the Service Animal and then consult with the Director regarding future access.

Service Animal owners -shall not be asked about the nature of their disability or for medical documentation of it. Owners shall not be asked for a special registration, identification card, license, or other documentation that the animal is a Service Animal, or to demonstrate the animal's ability to perform work or tasks.

#### **B. Library Assistance**

Service Animal owners are not required to register their Service Animal with the library. Service Animal owners who regularly access the library are encouraged to contact the Director. The Director can then assist the owner by providing advance notice to library personnel that the owner and Service Animal are entitled to access.

#### **5. Service Animal Owners' Responsibilities**

Service Animal owners are responsible for:

(a) Keeping the Service Animal under their direct control at all times, such as by a harness, leash, or other tether; however, if the use of a harness, leash, or other tether interferes with the Service Animal's safe, effective performance of work or tasks, or if the owner's disability prevents the use of such devices, then the Service Animal must be under the owner's control through voice control, signals, or other effective means;

(b) Ensuring the Service Animal does not disturb or disrupt normal academic or administrative functions;

(c) Immediately cleaning up after the Service Animal and properly disposing of the Service Animal's waste or other debris; and

(d) Complying with any relevant city, county, and/or state license and leash laws while the Service Animal is on library premises.

The owner is responsible for damage or injury caused by the Service Animal.

#### **6. Removal of Service Animals from Library Facilities**

Library personnel may only ask Service Animal owners to remove their Service Animal from library premises or from the immediate area as follows:

(a) If the Service Animal is not under the owner's direct control or the Service Animal is disturbing or disrupting the normal library routines, then the owner shall first be given an opportunity to get the animal under control. If the disruption or disturbance continues, then the owner may be asked to remove the animal; or

(b) If the presence, behavior, or actions of the Service Animal constitutes an immediate risk or danger to people or property, the owner can be asked to immediately remove the animal and 911 (emergency assistance) may be contacted.

If asked to remove the Service Animal, the owner must be offered the opportunity to return to the library premises or the immediate area without the Service Animal and be provided with reasonable assistance at that time to participate in the library services or programs.

A Service Animal may only be excluded for an individual event based on its or the owner's behavior at that event. The Service Animal or its owner cannot be excluded from future events based on a problem at a past event.

Owners with concerns about the removal of their Service Animal should contact the Library Director.

**7. Violations of Policy**

Depending on the seriousness of the animal’s conduct or repeated conduct, Service Animals may be excluded from library property. If a Service Animal is excluded, the Director is available to assist in evaluating reasonable accommodations for the owner.

**8. Service Animals in Training**

Service Animals in training may be permitted, but are not entitled to the same access as Service Animals. The Director has the discretion whether to permit access to Service Animals in training.

**9. Miniature Horses**

The above provisions with regard to Service -Animals shall also apply to miniature horses that have been individually trained to perform work or major life activity tasks for people with disabilities. Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds. The provisions above with regard to Service Animals are identical with regard to Service miniature horses, assuming the horse is housebroken; the library facilities can accommodate the miniature horse’s type, size, and weight; and the miniature horse’s presence will not compromise legitimate safety requirements necessary for safe operation of the library.