

## Tupper Lightfoot Memorial Library

### Addendum to Code of Conduct

#### Service Animals

From the U.S. Department of Justice

#### **Civil Rights Division**

*Disability Rights Section*

ADA.gov

Under the ADA, State and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is allowed to go.

A service animal must be under the control of its handler. Under the ADA, service animals must be harnessed, leashed, or tethered, unless the individual's disability prevents using these devices or these devices interfere with the service animal's safe, effective performance of tasks. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

When it is not obvious what service an animal provides, only limited inquiries are allowed. 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 cannot 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.

A person with a disability cannot be asked to remove his service animal from the premises 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, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals

The ADA does not require service animals to wear a vest, ID tag, or specific harness.

From the *Code of Alabama*--

Section 24-8A-4 Misrepresentation of entitlement to assistance **animal or service animal**. (a) A person commits the offense of misrepresentation of entitlement to an

assistance **animal** or **service animal** if the person intentionally does either of the following: (1) Misrepresents to another person that a person has a disability or disability-related need for the use of an assistance **animal** or **service animal** in housing. (2) Makes materially false statements for the purpose of obtaining documentation for the use of an assistance **animal** or **service animal** in housing. (b)(1) Upon a first offense, a violation of subsection (a) shall be subject to a civil penalty of five hundred dollars (\$500) or treated as a Class C misdemeanor. (2) Upon a second or subsequent offense, a violation of subsection (a) shall be a Class B misdemeanor. (Act 2018-235, Â§4.)

Approved—

Signature \_\_\_\_\_

Date \_\_\_\_\_