Pentwater District Library

Animals in the Library Policy

PURPOSE

The Board of Trustees of the Pentwater **District** Library (Library) has adopted the following policy regarding animals on library grounds and inside the library facility in order to ensure the safety of the staff and patrons and to comply with local, state, and federal laws regarding the use of service animals by individuals with disabilities. No pets or animals other than service animals, animals used in conjunction with Library programming (such as therapy dogs), or animals used by law enforcement officers are permitted in the Library. The purpose of this policy is to establish procedures for the use of animals in the Library or on library grounds.

SERVICE ANIMALS

A service animal is considered an accommodation by Federal and Michigan Law. The Americans with Disabilities Act (ADA) identifies a service animal as a dog that is individually trained to assist a person with a disability, including physical, sensory, psychiatric, intellectual, or other mental impairment. The work or tasks performed by a service animal must be directly related to the individual's disability. Service animals are limited to the animals defined under the ADA and does not include any other species of animal, wild or domestic, trained or untrained. **Service animals do** not include an animal used or relied upon for crime deterrence, emotional support, well-being, comfort, or companionship.

Under Michigan Law it is a misdemeanor to interfere with a working service animal or to harass or abuse a service animal.

CERTIFIED THERAPY ANIMALS

The Pentwater **District** Library recognizes the role certified therapy animals play in library programming and are allowed in the Library or on library grounds only when invited. The handler of a therapy animal must be able to provide the Library with the animal's certification from a recognized therapy animal organization upon request.

EMOTIONAL SUPPORT ANIMALS OR COMFORT ANIMALS

The Pentwater **District** Library understands that emotional support animals and/or comfort animals

play a valid role in the lives of their owners. State and Federal Laws do not recognize emotional support animals or comfort animals as service animals under the Americans with Disabilities Act. Therefore, the Pentwater Township Library does not permit emotional support animals or comfort animals in the Library, nor can they attend outdoor programming venues.

GENERAL GUIDELINES

No animal may be left unattended on library grounds. Animals may not be tied to doors, railings, fences, bike racks, trees, shrubs, book boxes or other items on library grounds.

Service animals are permitted to accompany people with disabilities throughout the whole library and in programming venues. A service animal's access to the Library or programming venue may need to be limited should the service animal's presence create an undue hardship that is recognized by the Library.

While on library property, a service animal shall be under the control of its handler. Anytime a service dog is behaving in a manner incompatible with the essential purposes of the Library, a member of the staff shall immediately require that the service dog be brought into conformity or leave the Library.

When it is not obvious what service an animal provides, library 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 shall 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.

Service animals in training are not allowed in the Library unless special arrangements are made with the Library Director or the Library Director's designee prior to the visit.

Animals, other than service animals assisting persons with disabilities or certified therapy animals, are not permitted inside library facilities except if they are part of a program scheduled by the Library staff.

Issues related to the care and supervision of service animals shall be addressed on a case-by-case basis in the discretion of the building administration.

Pursuant to federal law, the Library retains discretion to exclude or remove a service animal from library property if:

- The service animal is out of control and/or the service animal's handler does not effectively control the service animal's behavior;
- The service animal is not housebroken;
- The service animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications; or,

- Permitting the service animal would fundamentally alter the nature of the service, program, or activity.

Animals used for law enforcement purposes shall be allowed on Pentwater **District** Library property in accordance with all local, state and federal laws.

Any animal on Library property must be under control of the owner or handler at all times. Animals must be leashed, harnessed, crated or carried in a way that maintains control over the animal.

The owner of any animal that displays behavior that poses a direct threat to the health or safety of others shall be asked to remove the animal from library property. This behavior includes vicious behavior towards humans or other animals, barking, snarling or growling or other aggressive behavior.

LIABILITY

The Library patron shall be responsible for any damages to library property, personal property, and any injuries to individuals caused by the service animal. The patron who uses a service animal on library property shall hold the Library harmless and indemnify the Library from any such damages.

VIOLATION OF THIS POLICY

Persons found to be in violation of this policy will be disciplined following the guidelines set forth in the Pentwater **District** Library Personal Behavior Policy.

Approved by the Pentwater Township Library Board of Trustees on 09/18/2018.

Amended by the Pentwater Township Library Board of Trustees on 10/15/2019.

Amended at a regular meeting by the Pentwater District Library Board Trustees on _____.