

Service Animals Policy

It is the policy of the Wheaton Public Library to prohibit all animals from entering the library, with the exception of service dogs and miniature horses; service dogs and miniature horses in training; or animals featured in programs sponsored by the Wheaton Public Library.

Service Dogs and Service Dogs in Training

According to the Americans with Disabilities Act (ADA), a service dog is individually trained to do work or perform tasks for people with disabilities. Examples include but are not limited to: 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.

- Handlers may bring their service animal into areas of the library where the public are normally allowed.
- Service animals must be under the full custody and control of their handler at all times, and must be housebroken. Service animals that urinate or defecate in the library shall be considered a threat to the public welfare, safety and health of other library patrons regardless of whether they are claimed to be house broken and shall be removed from the library by the handler.
- Service animals 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 animal's safe, effective performance of work or tasks.
- If the service animal cannot be leashed or harnessed, it must be otherwise under the handler's control (e.g. voice control, signals, or other effective means).
- Handlers of the service animal are solely responsible for the supervision and care of the service animal.
- Handlers must keep the service animal directly with them at all times.

Miniature Horses and Miniature Horses in Training

Federal regulations allow a miniature horse to be recognized as a lawful service animal. An individual with a disability may be allowed to utilize a miniature horse as a service animal, subject to all of the restrictions stated in this policy, but also subject to the following factors set forth by the ADA:

- Whether the library can accommodate the miniature horse's type, size and weight. Generally, the horse should be no more than 34 inches tall at the shoulder, and weigh no more than 100 pounds.
- The horse must be trained to do work or perform tasks for the benefit of the individual with the disability.
- The handler of the horse must be in control of the horse, and the horse must be housebroken. Horses that urinate or defecate in the library shall be removed from the library by the handler whether they are claimed to be housebroken as threats to the public safety, welfare and health.
- The presence of the horse may not compromise legitimate safety requirements that are necessary for the safe operation of library service.

Emotional Support Animals

Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA, and are therefore not allowed in the library. The provision of emotional support, well-being, comfort, companionship, or protection do not constitute work or tasks.

Protections

Users of service animals are not required to show papers or to prove a disability. Service animals 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.

Staff may ask two questions:

- Is the animal a service animal required because of a disability?
- What work or task has the animal been trained to perform?

For the purposes of this policy, the terms assistance, guide, hearing or helping may be used interchangeably with service. Staff may not ask about the owner's disability.

A person with a disability may not be asked to remove his or her service animal or service animal in training from the library unless:

- The animal is out of control and the handler does not take effective action to control it
- The animal is not housebroken or urinates or defecates in the library.

When there is a legitimate reason to ask that a service animal be removed, library staff must give the person with the disability the option to obtain library services without having the service animal or service animal in training on the premises.

Fear of allergies, annoyance on the part of other patrons or employees, or fear of dogs or miniature horses are not valid reasons for denying access or refusing service to people with service animals or service animals in training.

Exception

The library may have animals in the building as part of its educational and recreational offerings.

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.

IL Service Animal Access Act: 720 ILCS 5/48-8
Code of Federal Regulations: 28 CFR 35.136(i)(1)

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