



## **Animals in the Library Policy**

### **1. Purpose**

The Geneva Public Library (“the Library”) recognizes that patrons with disabilities may have service animals that are trained to assist or accommodate a person with a sensory, mental, or physical disability or to perform tasks for the benefit of a disabled individual. The Library recognizes legal rights under federal and state laws regarding the use of service animals. The Library also considers the safety and health of all its patrons, the public, and Library employees to be of utmost priority.

### **2. Definitions**

#### **2.1 Service Animal**

Under both New York law and the federal Americans with Disabilities Act (ADA), businesses and facilities that serve the public must permit a service animal in all areas of the facility where customers are allowed or the public is invited.

Under Title II and Title III of the ADA, a service animal means any 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.

#### **2.2 Emotional Support Animal**

According to the U.S. Department of Housing and Urban Development (HUD), an emotional support animal is any animal that provides emotional support, alleviating one or more symptoms or effects of a person’s disability. The animal does not have special training to perform tasks that assist people with disabilities. Therefore, they are not categorized as a service animal, and neither New York nor ADA law protects the right to have emotional support animals in public facilities.

#### **2.3 Therapy or Comfort Animal**

Comfort animals work during active crises to offer a calming distraction, and therapy animals provide people with healing contact to improve their physical, social, emotional,

or cognitive functioning. While these animals may receive extensive training and may interact with all sorts of people, including an individual with a disability, they are not trained to perform a specific task for an individual with a disability. Therefore they are not categorized as a service animal, and neither New York nor ADA law protects the right to have the therapy or comfort animal in public facilities.

### **3. Policy**

All animals must be under the full custody and control of their handler at all times while on library property.

No pets or animals other than service animals, or service animals in training, are allowed in the Library. Owners of pets may be asked to remove them from the Library.

Individuals with disabilities may bring their service animals into any areas of the Library where members of the public are normally allowed to go.

All service animals must be on a leash or harness at all times, unless the handler is unable to leash or harness the animal 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). Owners of the service animals are solely responsible for the supervision and care of the service animal. Therefore, owners must keep the service animal directly with them at all times.

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.

Employees may ask, "Is this animal a service animal?"

Owners of service animals or service animals in training must indicate that they are working and not pets. Terms may include assistance, service, guide, hearing, or helping dog. Employees may not ask about the owner's disability.

A person with a disability, or a person training a service animal, may not be asked to remove the service animal or service animal in training from the Library unless the presence, behavior, or actions of the service animal constitute an unreasonable risk of injury or harm to property or other persons, or the animal is disruptive and the owner does not take effective action to control it. In these cases, Library employees 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 are generally not valid reasons for denying access or refusing service to people with service animals or service animals in training.

#### **4. Exceptions for Library Programs**

Pending approval by the Executive Director or their designee, the Library may have animals in the building as part of its educational and recreational programs.

#### **5. 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. The Library also reserves the right to ban patrons who endanger animals in such a way, in accordance with the Library's *Safety Policy*.

#### **6. Grievances**

The Library is committed to the equitable use of the Library for all its patrons. Any patron who feels their use of the Library has been compromised due to this policy should report grievances to the Executive Director or their designee.

#### **7. Citations and Related References**

i) Americans with Disabilities Act (ADA) of 1990, Title II, Section 35.136 (Revised September 15, 2010);

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