

## **Animals in the Library Policy**

Approved by the Library Board of Trustees August 7, 2019

No animals except service dogs are allowed in NVPL unless they are part of a scheduled program in the Community Room (e.g. therapy dogs aiding children's reading or raptor program). The Director, under special or medical circumstances, may make an exception. The use of service dogs is acceptable at NVPL as long as they meet the Service Animal definition stated in the Amendment to the Americans with Disabilities Act, subtitle A of Title II (42 USC 12131) amended 9/15/2010.

A service dog is one that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. Other species of animals, whether wild or domestic, trained or untrained, are not allowed in the library. Service dogs do not include emotional support animals.

The service dog must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. The individual must maintain control of the animal through voice, signal, or other effective controls.

The service animal may be asked to leave the library if:

1. The animal is not under the control of its handler, and the animal's handler does not take effective action to control it; or
2. The animal is not house broken.

In such cases, the handler must be given the opportunity to participate in any service, program or activity without having the service animal on the premises.

The handler is liable for any damage done to the premises by the service animal.

NVPL is not responsible for the care or supervision of a service animal.

Montana HB 0439 019 amended MCA 49-4-214 creating a misdemeanor offense for the misrepresentation of a service animal.

A public notice shall be posted in a conspicuous place that the Library does not allow animals other than service animals and reserves the right to file complaints alleging the misrepresentation of service animals.

A representative of the library who suspects that an animal is being misrepresented as a service animal to gain entry may file a complaint with local law enforcement. The complaint must be written and must state the particulars of the alleged misrepresentation.

## **Staff Procedure regarding Animals in the Library Policy**

When it is not obvious what service an animal provides, or an animal is not identified, staff will ask the following questions:

- (1) Is the dog a service animal required because of a disability, and
- (2) Describe the work or task that the dog has been trained to perform.

Staff may ask a handler to remove a service animal when not under control, or not house broken but must allow handler back without animal.

Staff may file a written complaint with local law enforcement stating particulars if they suspect an animal is being misrepresented as a service animal to gain entry into the library.