

Animals in the Library Policy

Purpose

The Kalamazoo Public Library (KPL) 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. KPL recognizes legal rights under federal and state laws regarding the use of service animals. KPL also considers the safety and health of all its patrons, the public, and library staff to be of utmost priority.

Definitions

Disability

The term “disability” means, with respect to an individual:

- a. A physical or mental impairment that limits one or more of the major life activities of such individual;
- b. A record of such impairment; or
- c. Being regarded as having such an impairment.

If an individual meets any one of these three tests, he/she/they is an individual with a disability for purposes of coverage under the Americans with Disabilities Act (ADA).

Service Dogs

Any dog 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 and meets the definition of “service animal” under the ADA regulations at 28 CFR 35.104. The work or tasks performed must be related to the individual’s disability.

Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks.

Service Animals in Training

Service animals that are being trained for the purpose of assisting disabled persons are entitled to full and equal access to library facilities. Although the ADA does not apply to service animals in training, effective March 28, 2023, Public Act 75 of 2022, requires service animals in-training to be admitted into places of public accommodation located in Michigan if they are accompanied by an animal trainer or raiser for the purpose of training or socializing the animal per the Michigan Department of Civil Rights.

Miniature Horses

Federal regulations allow miniature horses to be recognized as a lawful service animal. Therefore, an individual with a disability may be allowed to utilize a miniature horse as a service animal, subject to all the restrictions stated in this policy, but also subject to additional considerations. When determining whether to allow a miniature horse to function as a service animal, KPL may consider the following before permission is granted to utilize a miniature horse as a service animal.

- a. The horse in question may be no more than 34 inches tall measured at its shoulder and it may weigh no more than 100 pounds.
- b. As with dogs, the horse must have been individually trained to do work or perform tasks for the benefit of the individual with a disability.
- c. As with dogs, the handler of the horse must be able to be in sufficient control of the horse and the horse must be housebroken.
- d. The horse's presence may not compromise legitimate safety requirements necessary for the safe operation of library service.

Policy

No pets or animals other than service animals or service dogs in training, as defined by the ADA, 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 all areas of the library where members of the public are normally allowed to go. All service animals must always be in full custody and control of their handler. Also, all service animals must be on a leash or harness unless the handler is unable to leash or harness the animals due to 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 animal are responsible for supervising and caring for the service animal. Therefore, owners must always keep the service animal directly with them.

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, cape, or collar.

Employees may ask two questions:

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

Employees may not ask about the owner's disability.

A person with a disability may not be asked to remove their service animal or service dog in training from the library unless the presence, behavior, or actions of the service dog constitute an unreasonable risk of injury or harm to property or other persons, or the dog 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 dog in training on the premises. Fear of allergies, annoyance on the part of other patrons or employees, or fear of dogs are not valid reasons for denying access or refusing service to people with service dogs or service dogs in training.

Exceptions for Library Engagement

Pending approval by the Director or their designee, 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. The library also reserves the right to suspend patrons who endanger animals.

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 Director or their designee.

Citations and Related References

- Americans with Disabilities Act (ADA) of 1990, Title II, Section 35.136 (Revised September 15, 2010)
- Service Animals in Training Law - <https://www.legislature.mi.gov/documents/2021-2022/publicact/pdf/2022-PA-0075.pdf>