



LEWIS COUNTY
SERVICE ANIMAL POLICY

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LEWIS COUNTY SERVICE ANIMAL POLICY

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1. PURPOSE OF THE POLICY

- A. To ensure compliance with the Americans with Disabilities Act (ADA) and Washington State law regarding the presence of service or assistance animals in Lewis County facilities.
- B. To clearly define various types of service/assistance animals and provide guidelines for Lewis County employees regarding the rights of citizens and fellow employees who have service animals.
- C. To set behavioral guidelines for service animals to protect Lewis County citizens and staff from injury and to prevent damage to public property while they participate in services and sponsored programs by Lewis County within Lewis County facilities.
- D. To prohibit pets from being brought into most Lewis County facilities.

2. SCOPE

This policy applies to all elected officials, employees, volunteers and visitors of Lewis County facilities unless otherwise governed by statute, County ordinance or policy. This does not apply to animals at county facilities for official county purposes, such as a K9 under the control of a law enforcement officer, a courthouse dog approved by the court or animals under the direct supervision of animal shelter-trained staff.

For the purpose of this policy, a “service animal” means an animal that is trained to assist or accommodate a disabled person’s sensory, mental or physical disability. (RCW 49.60.040(25))

3. DEFINITIONS

“Service animal.” Per RCW 49.60.040(25), a service animal is any dog or miniature horse 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. The work or tasks performed by the service animal must be directly related to the individual’s disability. Examples of work or tasks include but are not limited to calming a person with Post-Traumatic Stress Disorder (PTSD) during an anxiety attack, assisting vision-impaired individuals with navigation and other tasks, alerting hearing-impaired individuals to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. 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 may be trained to perform other work or tasks may, of course, provide comfort as well. However, if comfort or emotional support is the sole role for an animal's presence, then there is no longer a legal requirement to provide accommodations.

Emotional support animals, comfort animals, and therapy dogs are not service animals under Title II and Title III of the ADA nor Washington law. Other species of animals, whether wild or domestic, trained or untrained, are not considered service animals either. The work or tasks performed by a service animal must be directly related to the individual's disability. It does not matter if a person has a note from a doctor that states that the person has a disability and needs to have the animal for emotional support. A doctor's letter does not turn an animal into a service animal. Services include but are not limited to guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

Any emotional support animal, comfort animal, or therapy dog for an individual with a disability is considered an emotional support animal regardless of whether it is licensed or certified by a state or local government or a training program. If there are questions about whether an animal is an emotional support animal or for questions regarding disabilities, contact Human Resources for assistance.

- A. "Fully socialized." To be fully socialized means the animal will not, except under rare occasions, bark, yip, growl, or make disruptive noises; will have a good temperament and disposition; will not show fear; will not be upset or agitated when it sees another animal; and will not be aggressive. The service animal must be fully housebroken.
- B. "Pet." A pet is a domestic animal kept for pleasure or companionship. Pets are not permitted in Lewis County facilities.
- C. "Handler." A person who is accompanied by a service animal but is not being assisted or accommodated by that animal.
- D. "Partner." A person with a disability who is assisted or accommodated by a service animal.
- E. "Team". Includes a service animal specifically trained to perform specific tasks directly related to the physical or mental disability of the human they are teamed with (known as handlers) and their specific medical needs.
- F. "Facilities." To include parks, buildings, parking lots, etc.
- G. "Disability." Means the presence of a sensory, mental, or physical impairment as defined in RCW 49.60.040.

- H. “Enforcement officer.” Means a person authorized to enforce the provisions of the title or ordinance in which the civil infraction is established pursuant to RCW 7.80.040.

4. GENERAL POLICY

Lewis County allows service animals to accompany persons with disabilities in Lewis County facilities accessible to the public. Disabled employees may also have service animals in the facilities in places where the employee would have normal access in the performance of their duties, provided the safety of the team or other employees is not jeopardized.

5. TYPES OF SERVICE ANIMALS

A. **Guide Dog**

A Guide Dog is a carefully trained dog that serves as a travel tool for persons with severe visual or hearing impairments (RCW 70.84.020).

B. **Hearing Dog**

A dog that has been trained to alert a person with significant hearing loss or who is deaf when a sound, e.g., knock on the door, occurs.

C. **Service Dog**

A dog that has been trained to assist a disabled person who has a mobility or health impairment. Types of duties the dog may perform include carrying, fetching, opening doors, ringing doorbells, activating elevator buttons, steadying a person while walking, helping a person up after a fall, etc.

D. **Diabetic Alert Dog**

A diabetic alert dog is a dog that has been trained to alert when its human’s blood sugar levels change, helping people with Type 1 diabetes. A diabetic alert dog can signal low or high glucose by poking with their nose. They can even wake someone up or bring glucose tablets.

E. **SSig Dog**

An SSig dog is a “social signal” dog trained to assist a person with autism. The dog may alert the partner of distracting repetitive movements common among those with autism, allowing the person to stop the movement (e.g., hand flapping). Recognizing familiar persons in a crowd, steering around a mud puddle or responding to others’ social signals are possible roles for an SSig Dog. A person with autism may have problems with sensory input and need the same support services a dog might give a person who is blind or deaf.

F. A Seizure Response Dog

A dog trained to assist a person with a seizure disorder; how the dog serves depends on the person's needs.

G. Miniature Horse

A miniature horse has been individually trained to do work or perform tasks for people with disabilities. (Miniature horses generally range in height from twenty-four inches to thirty-four inches, measured to the shoulders, and generally weigh between seventy and one hundred pounds.) The regulations set four assessment factors in determining whether miniature horses can be accommodated in County facilities. The assessment factors are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will compromise legitimate safety requirements necessary for safe operation of the facility.

6. GUIDELINES FOR COUNTY EMPLOYEES

- A. Allow a service animal to accompany the partner at all times and everywhere except where service animals are specifically prohibited.
- B. Do not pet a service animal without the permission of the partner/handler. Petting a service animal when the animal is working distracts the animal from its duties.
- C. Do not feed a service animal without the handler's permission. The service animal may have specific dietary requirements. Unusual food or food at an unexpected time may cause the animal to become ill.
- D. Do not deliberately startle a service animal or attempt to separate a partner/handler from his or her service animal.
- E. Employees who require a service animal must notify their supervisor and the elected official/department head. The employee may be required to submit a prescription/statement of need from a physician if the need for the service animal is not obvious. Lewis County Employees who require accommodations under Title I of the ADA must contact Human Resources for additional guidance.
- F. Employees' service animals are subject to the standards required of a service animal belonging to a facility visitor.
- G. When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the animal a service animal required because of a disability, and (2) what work or task has the animal been trained to

perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the animal, or ask that the animal demonstrate its ability to perform the work or task.

7. REQUIREMENTS OF SERVICE ANIMALS, TRAINEES AND THEIR PARTNERS/HANDLERS

A. **Vaccination**

The animal must have current immunizations against diseases common to that type of animal. Dogs must wear a rabies vaccination tag and other licensing tags as required.

B. **Health**

The animal must be in good health and have good hygiene. Partners/handlers are responsible for always maintaining a clean service animal.

C. **Leash**

All local municipal codes require dogs to always be on a leash while in public places.

D. **Under Control of Partner/Handler**

The partner/handler must always be in full control of the animal. The care and supervision of a service animal is solely the responsibility of its partner/handler.

A service animal will be under the control of the handler, housebroken and fully socialized. If the service animal begins to show improper behavior, the handler will act immediately to correct the animal or will remove the animal from the premises.

8. WHEN A SERVICE ANIMAL CAN BE ASKED TO LEAVE

A. **Disruption**

If an animal exhibits disruptive (e.g., barking, running around, bringing attention to itself), poor or unsanitary behavior, it would not be considered a trained service animal, and can be removed. If the improper behavior happens repeatedly, the partner may be prohibited from bringing the animal into any county facility until the partner takes significant steps to mitigate the behavior. Mitigation can include muzzling a barking animal or refresher training for both the animal and the partner.

B. **Health**

Ill service animals are not allowed in public areas. A partner with an ill animal may be asked to leave county facilities.

C. Poor Hygiene/Unclean Animals

Partners with animals that are unclean may be asked to leave county facilities. Partners/handlers shall be responsible for keeping the service animals clean and well-groomed, even during inclement weather seasons. An animal that becomes wet from walking in the rain or mud or from being splashed by a passing automobile but is otherwise clean should be considered a clean animal. Animals that shed in the spring shall be groomed to maintain a hair-free work environment.

9. PROHIBITED ACCESS FOR SERVICE ANIMALS

A. Mechanical Rooms/Custodial Closets

Mechanical rooms, such as boiler rooms, facility equipment rooms, electric closets, elevator control rooms and custodial closets, are off-limits to service animals. The machinery and/or chemicals in these rooms may be harmful to animals.

B. Areas where Protective Clothing is Necessary

Any room where protective clothing is necessary is off-limits to service animals. Examples include chemical laboratories, wood shops, and metal/machine shops.

C. Areas where there is Danger to the Service Animal

The following areas are off-limits to service animals: Any room where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface, where there are hot materials on the floor, where there is a high level of dust; or where there is moving machinery.

D. Access Exceptions

1) Moving Equipment

A manager of an operation/facility with moving equipment may grant a team permission to enter the area with moving machinery.

Admission for each team will be granted or denied on a case-by-case basis. The final decision shall be made based on the nature of the machinery or class and in the best interests of safety for the team. Example: The machinery in a shop may have moving parts at a height such that the tail of a large dog could easily be caught in it; this is a valid reason for keeping large dogs out. However, a very small hearing dog may

be shorter than any moving part and, therefore, considered for admission to the area.

2) **Case-By-Case**

The elected official or department director may grant access to other designated off-limits areas on a case-by-case basis.

3) **Approval for Exceptions**

To be granted an exception, a visitor seeking admission for his or her animal to an off-limits area should contact the manager of the office or facility.

10. LIABILITY

Any property damage, destruction or personal injuries caused by or as a result of the service animal will be the sole responsibility of the service animal's owner/partner/handler. By bringing a service animal onto County property, the Service animal owners/partners/handlers agree to hold harmless Lewis County and its agents from any claims, causes of actions, damages, costs, loss of service, expenses and compensation growing out of consequences with their service animal in or around Lewis County facilities or county grounds.

11. EMERGENCY SITUATIONS

In an emergency, county staff should understand that a service animal may become disoriented from the smell of smoke from a fire or laboratory emergency, from sirens or wind noise, or from shaking and moving ground. The partner and/or animal may be confused by the stressful situation. Staff should be aware that the animal is trying to be protective and, in its confusion, is not to be considered harmful. Staff should make every effort to keep the animal with its partner. However, the staff's first effort should be toward the partner and this may necessitate leaving an animal behind in certain emergency evacuation situations.

12. GRIEVANCE

Any partner dissatisfied with the decision made concerning a service animal should contact Human Resources or the Board of Lewis County Commissioners. For more information regarding the American Disabilities Act (ADA) and Reasonable Accommodation or the grievance process, please visit the Lewis County website <https://lewiscountywa.gov/departments/human-resources/reasonable-accommodation/> or call 360-740-2737.

13. MISREPRESENTATION OF SERVICE ANIMAL

As defined in RCW 7.80.040, an enforcement officer may investigate and enforce this section by making an inquiry of the person accompanied by the animal in question and issuing a civil infraction. A civil infraction with a maximum fine of \$500 (five hundred dollars) will be imposed to a person who represents that an animal is a service animal when the person knew or should have known that the animal in question does not meet the statutory definition of a service animal as defined in RCW 49.60.040. Refusal to answer the questions allowable shall create presumption that the animal is not a service animal and the enforcement officer may issue a civil infraction and require the person to remove the animal from the place of public accommodation.

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