



CITY OF MIAMI ADA PROCEDURES

SUBJECT: SERVICE ANIMALS

PURPOSE: To establish guidelines for access rights for service animals in City of Miami facilities.

PROCEDURE:

The City of Miami will generally permit service animals to accompany their owners in City facilities into all areas of the facility where the public is normally allowed. Exceptions may be made when the program or services offered would be fundamentally altered or its safe operation in jeopardy.

Under Title II of the ADA, Service animals are working animals that assist individuals with a variety of tasks such as guiding, pulling, warning for changes in levels or sounds and other specialized tasks. They are not pets. Under the ADA, only dogs are recognized as service animals. Service dogs may or may not be licensed. Some, but not all, service dogs wear special ID collars or harnesses.

Effective March 2011, miniature horses may be considered service animals where they have been individually trained to do work or perform tasks for people with disabilities. Miniature horses may be allowed in city facilities under the following conditions: (1) the miniature horse must be house-broken ; (2) the animal is under the control of the owner; (3) can the facility accommodate the horse's type, size and weight; and (4) the safe operation of the program/facility is not jeopardized by the presence of the miniature horse.

ADMINISTRATION AND RESPONSIBILITIES

The ADA Coordinator is responsible for the development of this procedure and any modifications made thereto.

The ADA Coordinator is responsible for training staff, including contracted security personnel, on this procedure, using the information below or by referring to information at www.ada.gov For any questions or concerns, contact Patrice Rey, Safety Manager/ADA Coordinator in the Risk Management Department at (305) 416-1732, email: prey@miamigov.com

GUIDELINES

- (1) Service Animals as noted above must be harnessed, leashed, or tethered, unless these devices interfere with the service animals' work or the individual's disability prevents using these devices. In such cases, the individual must maintain control of the animal through voice, signal, or other effective controls.
- (2) When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog 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 dog, or ask that the dog demonstrate its ability to perform the work or task.
- (3) Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.
- (4) A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the dog/miniature horse is out of control and the handler does not take effective action to control it or (2) the dog/miniature horse is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.
- (5) Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.
- (6) People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a business requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.
- (7) Staff are not required to provide care or food for a service animal.