



# Administrative Regulations

Number AR7-4  
Issue 1

## **Subject: Service Animals Allowed in City Facilities**

### **I. Purpose**

The purpose of this regulation is to set forth City policy regarding adherence to the Americans with Disabilities Act (ADA) as it relates to service animals in City facilities.

The ADA has five titles. Title II prohibits discrimination against people by state and local government entities and guarantees that people with disabilities have equal access to services, programs and activities offered by these entities. This includes a requirement to modify policies and practices to allow for the use of a service animal by a person with a disability.

### **II. Definitions**

For purposes of this regulation, these terms are defined as follows:

- A. The terms “guide dog,” “signal dog,” and “service dog” have the same meaning as “service animal.”
- B. A service animal is any dog that is individually trained to do specific work or perform specific tasks for the benefit of an individual with a disability including a physical, sensory, psychiatric, intellectual, or other mental disability.
- C. Service animals are working animals, NOT PETS.
- D. Other species of animals, whether wild or domestic, trained or untrained, are not service animals under the ADA. However, entities must make reasonable modifications in policies to allow individuals with disabilities to use miniature horses if they have been individually trained to do specific work or perform specific tasks for individuals with disabilities.

- E. While emotional support animals or comfort animals are often used as part of a medical treatment plan as therapy animals, they are not considered service animals under the ADA. These animals provide companionship, relieve loneliness, and sometimes help with depression, anxiety, and certain phobias, but do not have special training to perform tasks that assist people with disabilities.

### III. **Scope**

Except for the airport where different allowances are made and other federal regulations are enforced, this regulation shall be applicable to all City departments and offices directly responsible to the City Manager. However, in the interest of uniformity, effectiveness and completeness, it is requested that elective offices and other independent offices and departments also comply with this procedure.

### IV. **Amendment**

The City Manager may amend the procedures and content set forth in this regulation as required.

### V. **Policy**

The City of Long Beach is committed to complying with both the intent and spirit of the ADA and does not discriminate on the basis of disability in admission to, access to, or operations of its programs, facilities, services, or activities. In accordance with Title II of the ADA, individuals that use service animals are allowed equal access to all City of Long Beach-sponsored programs, facilities, services, and activities.

Titles II and III of the ADA make it clear that service animals are allowed in public facilities and accommodations. A service animal must be allowed to accompany the handler to any place in the building or facility where members of the public, program participants, customers, or clients are allowed. Even if the business or public program has a "no pets" policy, it may not deny entry to a person with a service animal. Service animals are not pets. Although a "no pets" policy is perfectly legal, it does not allow a business to exclude service animals.

When a person with a service animal enters a public facility or place of public accommodation, the person cannot be asked about the nature or extent of his/her disability. Only two questions may be asked:

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

These questions should not be asked, however, if the animal's service tasks are obvious. For example, the questions may not be asked if the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability.

A public accommodation or facility is not allowed to ask for documentation or proof that the animal has been certified, trained, or licensed as a service animal. Local laws that prohibit specific breeds of dogs do not apply to service animals.

A place of public accommodation or public entity may not ask an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees. Entities cannot require anything of people with service animals that they do not require of individuals in general, with or without pets. If a public accommodation normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by his or her service animal.

The ADA requires the service animals be under the control of the handler at all times. This can occur using a harness, leash, or other tether. However, in some cases a tether cannot be used to control the service animal, in which case other means may be used, such as voice control.

The service animal must be housebroken.

The service animal should be vaccinated in accordance with state and local laws. The City of Long Beach requires all dogs be licensed, and renewed annually. A rabies vaccination is required for both the initial and subsequent renewals of the license. The City of Long Beach provides a license tag that must be worn by the dog at all times.

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals.

## **B. Service Animals in Training**


Though the ADA states that service animals must already be trained to be recognized as such, the Disabled Persons Act of California extends to service animals in training. Therefore, under State law, a service animal who is in the process of being trained by a person authorized to train service animals may be taken into a place of public accommodation for the purpose of furthering their training.

For more information regarding this regulation, please contact the Citywide ADA/Title VI Coordinator for the City of Long Beach:

Direct Line: (562) 570-6257  
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APPROVED:

  
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CITY MANAGER

  
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DATE