



Carbon County Library System

Service Animals at the Library Policy

The Carbon County Library System provides free, open, and equal access to ideas and information to all members of the community. Our Code of Conduct is designed to foster an atmosphere of mutual respect and courtesy and applies to all individuals while on library property.

In accordance with Wyoming Statute § 35-13-201 Any blind, visually impaired, deaf, hearing-impaired person or other person with a disability may be accompanied by a service animal in any facility of a public entity and with 28 C.F.R. 35.136 and any place of public accommodation in accordance with Section 28 C.F.R. 36.302 (c) of the Americans with Disabilities Act.

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of a public entity's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

When determining if the animal is a service animal, the Carbon County Library System will use the definitions provided by Wyoming State Statute and the Americans with Disabilities Act.

A service animal is defined by law as an animal that is individually trained to do work or perform tasks for people with disabilities.

Inquiries

A public entity shall not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal. **A public entity may ask if the animal is required because of a disability and what work or task the animal has been trained to perform.** A public entity shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.

Generally, a public entity may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., 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).

Exceptions

Fear of allergies, annoyance on the part of other patrons or employees or fear of animals are generally not valid reasons for denying access or refusing service to people with service animals or service animals in training.

If at any time service animal's behaviors or actions pose an unreasonable or direct threat to the health or safety of others, or if the service animal does not conform to these guidelines, it may not remain in the library. In accordance with ADA guidelines, non-compliance of guidelines can be grounds for a request to remove a service animal from a Library facility.

In accordance with the Americans with Disabilities Act Section 28 C.F.R. 35.136 (b) A public entity may ask an individual with a disability to remove a service animal from the premises if—

- (1) The animal is out of control and the animal's handler does not take effective action to control it; or
- (2) The animal is not housebroken. Their handler is responsible for any upkeep or clean-up of the animal.

If a public entity properly excludes a service animal under Section 28 C.F.R. 35.136 (b), it shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.

Exclusions

Emotional support animals, comfort animals, and therapy dogs are not recognized as service animals under Title II and Title III of the Americans with Disabilities Act. As such, these animals are not permitted in Carbon County Library System facilities.

Care or Supervision

A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (*e.g.*, voice control, signals, or other effective means).

A public entity is not responsible for the care or supervision of a service animal.

Surcharges

A public entity shall not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are re-quired to pay fees, or to comply with other requirements generally not applicable to people without pets. If a public entity 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.

Penalties

In accordance with Wyoming Statute § 35-13-203(b) Any person who knowingly and intentionally misrepresents that an animal is a service animal or an assistance animal for the purpose of obtaining any of the rights or privileges set forth in this article is guilty of a misdemeanor and may be fined not more than seven hundred fifty dollars (\$750.00).