

**Point Defiance Zoo & Aquarium**  
**Service Animals for Persons with Disabilities**  
**Policy Adoption and Enactment Date: April 1, 2013**

## **The ADA and Service Animals**

Under the Americans with Disabilities Act (ADA), privately owned businesses and organizations that serve the public, such as restaurants, hotels, retail stores, theaters, concert halls, sports venues, museums and zoos are prohibited from discriminating against individuals with disabilities. The ADA requires facilities like PDZA to allow people with disabilities to bring their service animals onto business premises in whatever areas customers are generally allowed. Moreover, as an institution which recognizes the importance of serving all members of our local and world communities, Point Defiance Zoo & Aquarium welcomes visitors with service animals consistent with applicable laws and regulations.

### **What is a service animal?**

The ADA recognizes that a service animal can be any dogs or miniature horses that are trained to perform tasks for a person with a disability. Examples of tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with a mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or the task a dog or miniature horse has been trained to provide must be directly related to the person's disability. A dog or miniature horse whose sole function is to provide companionship, comfort or emotional support does not qualify as a service animal under the ADA. Any species of animal other than a dog or miniature horse, no matter what task it performs, is not considered a service animal under the ADA.

Some, but not all, service animals wear special collars and harnesses. Some, but not all, service animals are licensed or certified and have identification papers. Under the ADA you are not allowed to request proof of the status of a service animal accompanying a person with a disability. ADA does allow two verifying questions that may be asked: 1) Is the animal required because of a disability? and, 2) What work or task is the animal trained to provide? These are the only two questions that may be asked. Importantly, Point Defiance Zoo & Aquarium cannot make even these two inquiries when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (*e.g.*, a 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)

**Where service animals are allowed.**

Under the ADA, organizations like the zoo & aquarium must allow service animals to accompany people with disabilities in all areas of the facility where the public is allowed to go. An individual with a service animal may not be segregated from other guests. This includes food service areas where health codes might prohibit the presence of animals.

**Service animals must be under control.**

Under the ADA, service animals may be harnessed, leashed, or tethered, **unless** these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective means. The care and supervision of the service animal is the sole responsibility of his or her owner. A business or organization is not required to provide care or supervision for the animal.

**Circumstances under which a service animal could be excluded or access restricted.**

There may be a few circumstances that warrant excluding a service animal from a premise.

- Any service animal whose behavior poses a direct threat to the health or safety of others can be asked to be removed from a premise. Allergies or a fear of dogs are not valid reasons for having a service animal removed.
- Any service animal that is out of control and the handler does not take effective actions to control it are grounds to have the animal removed.
- A service animal that is not housebroken can be excluded.
- If the service animal's presence will compromise legitimate safety requirements necessary for the safe operation of the facility it can be excluded. For example, if a Zoo animal shows fear or aggression toward a service animal in such a degree as to cause potential injury, or a breach of containment by the Zoo animal. In this case it may only be necessary to restrict access to a specific area of the Zoo by the service animal.
- If the service animal causes a fundamental alteration to the nature of the business it can be excluded. For example, if a service dog barks incessantly or disruptively during the WWOT show it could be excluded. Before excluding the service dog in this situation, a determination must be made as to whether the barking is fundamentally different from other types of noise (such as loud cheering or a child crying) which are tolerated.

Under any of the above circumstances, if the service animal is excluded, the individual with the disability should be offered the option to continue to obtain goods or services without having the service animal on the premise. This would require the Zoo to provide staff assistance to the guest in the absence of their service animal.

## Policy

1. Only dogs or miniature horses that are trained service animals will be admitted to the Zoo. A dog or a miniature horse that is not trained will not be permitted to enter the Zoo. Pets, under any circumstances, will not be admitted to Point Defiance Zoo & Aquarium .
2. Zoo staff are permitted to verify the status of a dog or miniature horse by asking only two questions:
  - a. Is the dog or miniature horse required because of a disability? (Under no circumstance are staff permitted to ask what the disability is.)
  - b. What work or task does the dog or miniature horse perform?

Again, Point Defiance Zoo & Aquarium cannot make even these two inquiries when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., a 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).

3. Under no circumstances may staff ask for a service animal's health records, or exclude a service animal because of a real or perceived lack of immunizations.
4. Service animals may be excluded from the Zoo grounds or a portion of the Zoo grounds for the following reasons:
  - a. Aggressive behavior by a service animal toward any other person, including guests.
  - b. An animal that is not being controlled by its owner.
  - c. An animal that elicits extreme fear or aggression from a Zoo animal, creating a direct threat to the health or safety of others that cannot be eliminated by reasonable accommodation.
  - d. An animal that is not housebroken.
  - e. An animal whose behavior (e.g., barking) fundamentally alters/disrupts shows or presentations.
  - f. An animal who is showing signs of severe illness creating health issues or direct threat issues to the health and safety of others that cannot be eliminated by reasonable accommodation (e.g., severe diarrhea, vomiting, bleeding).

Each service animal's behavior will be assessed individually, and not based on past experiences with other animals. However, past Zoo animal behavior toward service animals will be taken into consideration in making determinations about whether to limit access by a service animal to a specific area of the Zoo grounds. The Zoo's Manager on Duty (ERT) is authorized to order a service animal removed from the Zoo grounds.

5. If a service animal is excluded from the Zoo grounds or a portion of the Zoo grounds the Zoo will make reasonable accommodations to permit the guest to continue their visit. Those reasonable accommodations will not include kenneling or stabling a service animal for the duration of a visit. It is reasonable for Zoo staff to watch a service animal, and accompany the person with

the disability for a short period of time, so that the guest can continue their visit to an area where service animals might be excluded because of negative reactions by a Zoo animal.

6. The Zoo **will not** provide food or veterinary assistance for a service animal if a guest requests. The Zoo **will** provide water for a service animal upon request.
7. Areas of the Zoo that require service animals to be indefinitely excluded from entering due to the adverse reaction of a Zoo animal(s) require the written documentation of the Deputy Director.

## Procedures

### Admissions

#### 1. Verification

- a. Only dogs and miniature horses trained as service animals will be admitted to the Zoo. All other animals are considered pets and will not be admitted to the Zoo.
- b. To verify that a dog or miniature horse is a trained service animal ask the following two questions, and **ONLY** the following two questions:
  - i. Is the dog or miniature horse required because of a disability? (*Under no circumstance are staff permitted to ask what the disability is.*)
    1. If the answer is yes then proceed to ii.
    2. If the answer is no then explain that only trained service animals providing assistance to a person with a disability will be admitted to the Zoo.
    3. If the answer is that the animal is not trained, but is in training to become a service animal then explain that only trained service animals performing a task for a disabled person will be admitted to the Zoo. **The only exception to this rule is when we do organized training sessions with a local trainer during Zoolights.**
  - ii. What work or task does the dog or miniature horse perform?
    1. If the response is that the sole task the animal provides is emotional support and comfort, inform the guest that under ADA guidelines this does not qualify as a service animal.
    2. If the guest becomes argumentative, or if in doubt whether the task qualifies, then always defer and let the guest enter the Zoo with their dog or miniature horse.
2. **Provide Information** - Inform the disabled guest entering the Zoo grounds with a service animal of any areas of the Zoo that a service animal is excluded due to adverse reactions by a Zoo animal(s). Inform the guest that a staff member is available to accompanying them to the excluded area, while another staff member watches their service animal outside of the area.

3. **Staff Notification** - Make the following radio call on Channel 1 “Attention All Staff we have a service animal coming on grounds with a description of the animal ERT do you copy?” This notifies staff that a service animal is entering the grounds, and if the guest is requesting any special assistance at any area where service animals are excluded due to Zoo animal safety concerns.

### Zoological Department

1. Monitor
  - a. Supervisors should ensure that all staff in their area is aware that a service animal is on Zoo grounds.
  - b. Zoological staff will monitor their areas and immediately alert the ERT to any of the following issues:
    - i. Aggressive behavior by a service animal toward any other person including guests .
    - ii. A service animal that is not being controlled by its owner.
    - iii. A service animal that elicits extreme fear or aggression from a Zoo animal, creating a direct threat to the health or safety of others that cannot be eliminated by reasonable accommodation.
    - iv. A service animal that is defecating and urinating.
    - v. A service animal whose behavior (e.g., barking) fundamentally alters/disrupts shows or presentations.
    - vi. A service animal who is showing signs of severe illness (e.g., severe diarrhea, vomiting, bleeding) creating a direct threat to the health or safety of others that cannot be eliminated by reasonable accommodation.
2. Assistance
  - a. Provide assistance as requested by the ERT.
  - b. Provide water for a service animal if requested by a guest.

### ERT

1. Monitor

Monitor radio channel 1 for any real or perceived issue arising with a service animal on the Zoo grounds.
2. Coordination
  - a. Ensure that staff is in place to provide assistance to any guest requesting special assistance at any area where service animals are excluded due to Zoo animal safety concerns.
3. Responding to Perceived Issues
  - a. The ERT should immediately investigate ALL reports that a service animal is causing an issue on the Zoo grounds.

March 15, 2013

- b. The ERT may request an animal be removed from an area of the Zoo for the following reasons:
  - i. A service animal that elicits extreme fear or aggression from a Zoo animal creating a direct threat to the health or safety of others that cannot be eliminated by reasonable accommodation.
  - ii. A service animal that is clearly not housebroken. Please note that service animals might occasionally defecate and urinate while on Zoo premises. This does not necessarily mean that they are not housebroken. A case by case assessment should be made to determine whether the service animal is housebroken.
  - iii. A service animal whose behavior (e.g., barking) fundamentally alters/disrupts shows or presentations.
- c. The ERT may request an animal is removed from the Zoo for the following reasons:
  - i. Aggressive behavior by a service animal toward any other person including guests.
  - ii. A service animal that is not being controlled by its owner.
  - iii. A service animal who is showing signs of severe illness creating a direct threat to the health or safety of others that cannot be eliminated by reasonable accommodation (e.g., severe diarrhea, vomiting, bleeding).
- d. In the event that a service animal is restricted from an area of the Zoo, the ERT should:
  - i. Explain why there is a restriction; and,
  - ii. Offer special temporary staff assistance so the guest may continue their experience. This might include a staff member being assigned to accompany the guest and to provide appropriate assistance.
- e. In the event that a service animal must be removed from the Zoo grounds. The ERT should:
  - i. Explain why the service animal must be removed; and, 2) offer options for the guest to continue their experience; however, under no circumstance should an offer be extended to kennel or stable a service animal.
- 4. If in doubt about any issue concerning a service animal, please immediately contact
  - a. ERT of the day by radio, **or**
  - b. Derek Chapin: radio; office: 404-3645; cell: 389-8117
  - c. Deputy Director John Houck: radio; office 404-3632; cell 253-208-8526.

Additional resources for service animal issues can be found on the following web-sites:

<http://www.ada.gov/svcanimb.htm>

<http://www.jan.wvu.edu/media/servanim.html>

[http://www.hum.wa.gov/generalinfo/faq\\_serv\\_animal.htm](http://www.hum.wa.gov/generalinfo/faq_serv_animal.htm)

March 15, 2013

<http://www.iaadp.org/iaadp-ada-training-requirements.html>

<http://www.dbtacnorthwest.org/>

<http://www.hum.wa.gov/TechAssistance/Index.html>

Additional sources for Metro Parks Policies on ADA issues and compliance can be found on the MPT Employee Intranet.

**This policy – Service Animal Policy for Persons With Disabilities (Origination Date: January 26, 2011) - replaces the following and all other policies related to Service Animals:**

**Service Animal Policy (Origination Date: May 3, 2003)**

**Service Animal Protocol (Origination Date: May 3, 2003)**

**and is the only policy in effect for Point Defiance Zoo & Aquarium.**

March 15, 2013