

## ANDERSON TOWNSHIP POLICY REGARDING ANIMAL ENTRY INTO TOWNSHIP BUILDINGS

Animals are not permitted to enter Township buildings with limited exception for service animals.

Anderson Township promotes the use of public spaces by all persons and supports accommodation for disabled persons using service animals in public spaces. The Township adheres to federal Americans with Disabilities Act regulations (28 CFR 35) (“ADA”) and to Ohio law. No person is permitted to access secured areas in Township buildings.

“*Handler*” means a person with a disability that a service animal assists or a personal care attendant who handles the animal for the person with a disability.

“*Service Animal*” means any dog 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 and meets the definition of service animal under the ADA regulations at 28 CFR 35.104. The work or tasks performed must be directly related to the individual’s disability. Further, a miniature horse may qualify as a Service Animal if it is housebroken, is under the Handler’s control, if the facility can accommodate the miniature horse’s type, size, and weight, and if the miniature horse’s presence will not compromise legitimate safety requirements necessary for the safe operation of the facility.

“*Emotional Support Animal*” or “*ESA*” means any animal that provides emotional support, a sense of safety, companionship, and/or comfort to its Handler, who may be a person with psychiatric or emotional conditions. Unlike Service Animals, ESAs have not been trained to perform a specific task for a Handler with disabilities, within the meaning of the ADA regulations. Emotional support animals often provide therapeutic benefits, but due to their lack of specific training, ESAs do not qualify as Service Animals under the ADA or Ohio law. As a result, the Township will not permit Emotional Support Animals to enter into Township buildings.

In compliance with applicable law, Anderson Township generally allows Service Animals into its buildings, meeting rooms, dining areas, recreational facilities, activities, and events where the animal is accompanied by an individual with a disability who indicates that the Service Animal is trained to provide, and does provide, a specific service to that individual that is directly related to such person’s disability. If the Service Animal poses a substantial and direct threat to the health and safety of other individuals or when the presence of the Service Animal constitutes a fundamental alteration to the nature of the program or service, the Township may prohibit the presence of Service Animals. Such determinations will be made on a case-by-case basis.

Inquiries regarding Service Animals by Township personnel to determine whether an animal qualifies as a Service Animal are limited to the following:

- (a) Is the animal required because of a disability?
- (b) What work or task has the animal been trained to perform?

The Township cannot require documentation that the animal has been certified, trained, or licensed as a Service Animal. If it is readily apparent that the Service Animal is trained to do work or perform tasks for an individual with a disability, the Township should not make any inquiries.

Handlers are responsible for any damage or injury caused by their Service Animals and must take appropriate precautions to prevent property damage or injury. Handlers must leash, harness, or tether their Service Animals when they are not providing a needed service. Handlers must be in complete control of their Service Animals at all times unless the Handler's disability prevents the use of such devices or such devices interfere with the Service Animal's safe and effective performance of tasks. In such case, the Handler must maintain control of the Service Animal through voice, signal, or other effective controls. It is the sole responsibility of the Handler to clean up after the Service Animal. If the Handler is unable to clean up after the Service Animal, it is the Handler's responsibility to hire someone capable of cleaning up after the Service Animal, who shall always carry equipment sufficient to clean up the Service Animal's feces or urine whenever the Service Animal is in a Township building, shall properly dispose of all waste and litter in appropriate containers, and contact Township staff if arrangements are needed to assist with clean-up. Any staff cost is the sole responsibility of the Handler.

Service Animals must respond to voice or hand commands at all times. To the extent possible, Service Animals should be unobtrusive to other individuals and the environment.

Removal:

- A Service Animal may be removed from a Township building if the Service Animal is not within the control of the Handler. If improper animal behavior recurs, the Handler may be prohibited from bringing the Service Animal into any Township building until the Handler demonstrates that the Handler has taken significant steps to mitigate the Service Animal's misbehavior.
- A Handler may be directed to remove a Service Animal from a Township building if the animal is not housebroken.
- If Township staff determines that the Service Animal is a direct and substantial threat to the health and safety of other individuals, the Handler may be directed to remove the Service Animal from the building. This may occur as a result of (but is not limited to) an ill animal, a substantial lack of cleanliness of the animal, or the presence of a Service Animal in a sensitive area. No person is permitted to access secured areas in Township buildings.

**TOWNSHIP STAFF ARE NOT REQUIRED OR PERMITTED TO PROVIDE CARE FOR OR SUPERVISION OF A SERVICE ANIMAL.**

By the Anderson Township Board of Township Trustees  
Adopted March 21, 2024; Resolution No. 24-0321-14