

TWO PERMISSIBLE QUESTIONS

- Is this a service animal that is required because of disability?
- What work or task is the animal trained to perform?

BUSINESS RIGHTS

- This huge customer market can represent additional business and profit for your enterprise.
- A business may ask an individual with a disability to remove a service animal from the premises if:
 - The animal is out of control and the animal's handler does not take effective action to control it.
- If a business, such as a hotel, normally charges guests for damage that they cause, a customer with a disability may also be charged for damage caused by himself or his service animal.
- Staff are not required to provide care or food for a service animal.
- Service animals must remain under the control of the handler at all times. Generally, this is accomplished with a tether, leash or harness. However, these devices may be difficult for some individuals to use and may interfere with the animal's ability to perform its tasks. Other effective controls, such as voice, signal or electronic tether, are also acceptable.

RESOURCES

ARIZONA ATTORNEY GENERAL'S OFFICE

1275 West Washington St.
Phoenix, Arizona 85007
602-542-5263
877-491-5742 (toll free)
www.azag.gov

U.S. DEPARTMENT OF JUSTICE

ADA Information Line
800-514-0301 (voice) or
800-514-0383 (TDD)
www.ada.gov

ADA Website
www.ADA.gov



City of Phoenix

EQUAL OPPORTUNITY DEPARTMENT
The Phoenix Mayor's Commission on
Disability Issues (MCDI)
251 W. Washington St., 7th Floor
Phoenix, AZ 85003-2295

This publication is available in an alternate format upon request. Call 602-262-7486/voice, 602-534-1557/TTY or 602-534-1124/fax

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PHOENIX MAYOR'S COMMISSION ON DISABILITY ISSUES



SERVICE ANIMALS IN PUBLIC ACCOMMODATIONS

*It's Just
Good Business*

SERVICE ANIMALS IN PLACES OF BUSINESS

Under the Americans with Disabilities Act (ADA), privately owned businesses that serve the public, such as restaurants, hotels, retail stores, taxicabs, theaters, concert halls and sports facilities, are prohibited from discriminating against individuals with disabilities. The ADA requires these businesses to allow people with disabilities to bring their service animals onto business premises in whatever areas customers are generally allowed.

An individual with a service animal may not be segregated from other customers.

A service animal is not a pet. The ADA requires businesses to modify their "no pets" policy to allow the use of a service animal by a person with a disability. This does not mean businesses must abandon their "no pets" policy altogether but simply that they must make an exception to their general rule for service animals.

A business is not permitted to impose a charge, fee or deposit because an individual with a disability is accompanied by a service animal.

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SERVICE ANIMAL – A DEFINITION

The ADA defines service animals as dogs that are individually trained to do work or perform tasks for people with disabilities. Miniature horses trained to assist a person with a disability and handlers with animals in training are also fully protected by the law.

If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government.

Service animals perform some of the functions and tasks that the individual with a disability cannot perform for him or herself. Guide dogs are one type of service animal used by some individuals who are blind. This is the type of service animal with which most people are familiar. But there are service dogs of any breed or size that assist persons with other kinds of disabilities in their day-to-day activities.

SOME EXAMPLES INCLUDE:

- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds
- Providing nonviolent protection or rescue work
- Pulling a wheelchair

- Assisting an individual during a seizure
- Retrieving items such as medicine or a telephone
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities
- Helping individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors

Some, but not all, service animals wear special collars and harnesses. Some, but not all, are licensed and certified and have identification papers issued by their training agency. If you are not certain that an animal is a service animal, you may ask the person who has the animal if it is a service animal that is required because of a disability. You may not insist on proof of certification before permitting the service animal to accompany the person with a disability.

Allergies and fear or dislike of dogs by business personnel or other customers are not valid reasons for denying access or refusing service to a person using a service animal.

