What is a service animal?

The ADA defines a service animal as any guide dog, signal dog or other dog individually trained to provide assistance to an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless or whether they have been licensed or certified by 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. But there are service animals that assist persons with other kinds of disabilities in their day-to-day activities. A service animal is not a pet. A service animal is not a comfort animal.

Am I responsible for the animal while the person with a disability is in my business?

No. The care or supervision of a service animal is solely the responsibility of his or her owner. You are not required to provide care or food or a special location for the animal.

If you have further questions about service animals or other requirements of the ADA, you may call the U.S. Department of Justice's toll-free ADA Information Line at 800-514-0301 (voice) or 800-514-0383 (TDD)

Or go online to:

www.adagov/serviceanimals2010.htm

or

www.illinoisattorneygeneral.gov/rights/servanimals.pdf

To see a comprehensive listing of frequently asked questions (FAQs), visit www.cityofdekalb.com

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→ # COMMONLY ASKED QUESTIONS ABOUT SERVICE ANIMALS IN PLACES OF BUSINESS

What are the accessibility laws that apply to my 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.

What must I do when an individual with a service animal enters my business?

The service animal must be permitted to accompany the individual with a disability to all areas of the facility where customers are normally allowed to go. An individual with a service animal may not be segregated from other customers.

How can I tell if an animal is a service animal and not just a pet?

Some, but not all, service animals wear special collars and harnesses. Some, but not all, are licensed or certified and have identification papers. 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 required because of a disability. However, an individual who is going to a restaurant or theater is not likely to be carrying documentation of his or her medical condition or disability. Therefore, such documentation may not be required as a condition for providing assistance to an individual accompanied by a service animal. Although a number of states have programs to certify service animals, you may not insist on proof of state certification before permitting the service animal to accompany the person with a disability.

I have posted a "no pets" policy at my establishment. Do I still have to allow service animals in?

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

What if a service animal barks or growls at other people, or otherwise acts out of control?

You may exclude any animal, including a service animal, from your facility when that animal's behavior poses a direct threat to the health or safety of others. You may not make assumptions, however, about how a particular animal is likely to behave based on your past experience with other animals. Each situation must be considered individually.