



## “Protect the Lodge, Protect the Mission”

### **GUIDE TO:**

#### **Service Dog Acknowledgement of Responsibility and Liability Waiver Agreement**

This guide is to assist with the use and implementation of the Service Dog Acknowledgment of Responsibility and Liability Waiver Agreement (“Agreement”).

#### **How to distinguish between a service animal and a pet?**

A service animal is a dog that has been trained to perform work or tasks that assist an individual with a disability. In some circumstances, a Lodge must permit the use of a miniature horse as a service animal. Whether a Lodge must accommodate the use of a miniature horse is discussed below.

Service animals are not required to wear any form of identification. Thus, two questions may be asked when a person enters a Lodge to determine whether an animal is a service animal. These questions are the following:

1. Is the animal required because of a disability?
2. What work or task has the animal been trained to perform?

#### **Specific Questions that Cannot be Asked.**

An individual who is blind uses a service animal for navigation. While the two above questions may be asked in circumstances when the individual’s disability is not obvious, an individual cannot be asked to disclose their specific disability (i.e. epilepsy). Nor can the individual be asked to show proof that the animal has been certified, trained, or licensed as a service animal. While the Agreement asks the signing individual to identify the tasks the service animal has been trained to perform, service animals cannot be required to demonstrate any of these tasks.

Finally, emotional support animals, comfort animals, and therapy dogs are not service animals, and therefore, these animals are not required to be permitted at a Lodge.

#### **Does a Lodge need to permit the use of a miniature horse?**

A Lodge must make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. Whether a Lodge may accommodate the use of a miniature horse requires consideration of the following factors:

- the miniature horse is housebroken;



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- the miniature horse is under the owner’s control;
- the facility can accommodate the miniature horse’s type, size, and weight;
- the miniature horse’s presence will not compromise legitimate safety requirements necessary for the safe operation of the facility.

### **Where may service animals go?**

Individuals with disabilities who are accompanied by a service animal must be allowed in all areas of a Lodge where members of the public may go.

### **What if the Lodge has a “no pets” policy?**

Service animals may not be denied entry to a Lodge even if the Lodge has a “no pets policy” as service animals are working animals, not pets. Additionally, a Lodge cannot require an individual with a service animal to pay a pet deposit or a surcharge of any kind.

### **When may a service animal be excluded from a Lodge?**

A service animal may be excluded from a Lodge if it is not housebroken or if it is out of control and the individual does not take effective action to control it. Examples of unacceptable behavior include uncontrolled barking, growling at other people, jumping on other people, or running away from the handler. Before excluding the service animal, the handler should be asked to get control of the animal. If the service animal is still out of control, a Lodge may ask the handler to remove the service animal. **HOWEVER, Service animals behaving aggressively may be removed from a Lodge immediately.** If a service animal is removed from a Lodge, the handler must still be able to re-enter the Lodge without the service animal.

### **What responsibility does an individual with a service animal have?**

The individual with the service animal is always responsible for its care and supervision. A Lodge is not responsible for care or supervision, including providing food, water, or a special location for the service animal.

Additionally, the individual must maintain control of the service animal at all times. The service animal must be harnessed, leashed, or tethered, unless such devices interfere with the service animal’s work or the individual’s disability prevents the use of those devices. If restraining devices cannot be used, the individual must maintain control of the animal through voice commands, signals, or other effective methods.



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Finally, the individual with the service animal must comply with local vaccination and registration requirements. While the Agreement requires the signing individual to acknowledge that the service animal satisfies all local vaccination and registration requirements, a Lodge may not ask for proof of compliance. The service animal must also be clean and healthy.

Finally, an individual with a service animal may be charged for any damage caused by their service animal.

### **Should service animals be pet?**

While it may be tempting to want to pet a service animal, service animals are working, and therefore, Lodge employees and staff should be advised to leave services animals alone. This includes not petting them, talking to them, whistling at them, or offering treats. The purpose of this is to avoid distracting service animals from assisting their handlers.