

Staatsburg Library District
Policy Regarding Medical Assistance Service Dogs
Adopted September 20, 2007

WHEREAS, Staatsburg Library recognizes its responsibilities under Title II of the Americans with Disabilities Act (“ADA”), 42 U.S.C. 12101 et seq., and its implementing regulation at 38 C.F.R. Part 35 to make its facilities available for use by persons with disabilities, including those persons who use services of a medical assistance service dog; and,

WHEREAS, the Library is also mindful of its responsibilities to protect its patrons, including children, from behavior that poses a direct threat to the safety of its patrons; and,

WHEREAS, the Library wishes to adopt a formal policy respecting use of the Library by persons with medical assistance service dogs in order to promote and accomplish the above objectives:

NOW, THEREFORE, the Board of Trustees of Staatsburg Library hereby adopts the following policy:

1. The library will freely permit individuals to use the Library’s facilities when accompanied by medical assistance service dogs. Medical assistance service dogs shall be maintained under sole control of the disabled individual, on a leash in the close proximity of the disabled individual, at all times.
2. Patrons of the Library shall not approach or pet medical assistance service dogs or disturb or interfere with them in the performance of their work.
3. The Library may exclude a medical service assistance dog from its facilities or limit the use of its facilities by the dog if the dog engages in behavior that:
 - (A) poses a direct threat to the safety of the Library’s patrons or staff.
 - (B) Fundamentally impairs the ability of the Library to maintain a peaceful atmosphere.

Such behavior includes, but is not limited to, one or more instance of growling, barking or other disruptive or menacing behavior, jumping towards or on or biting or attempting to bite any individual, or causing physical harm or reasonable fear of harm to any individual, if such behavior occurs in a public place. In the event that the Library excludes the dog from its facilities, it will document the reasons for excluding the dog, including a description of the incident(s), the names of the person(s) involved, and the date(s) on which the incident occurred.

4. The Library staff shall have the authority to supervise the use of the Library facilities by the Library’s patrons in order to carry out the intent and purposes of this policy. It is recognized, however, that the Library is not an insurer of the safety of its patrons and that the disabled individual is solely responsible for the proper and safe behavior of his or her medical assistance service dog. The disabled individual’s use of the Library’s facilities with a medical assistance service dog shall constitute his or her agreement to hold the library and its agents, employees, officers , trustees and patrons harmless from, and to defend them against, any and all claims, liabilities or damages of any kind caused by the dog when present at the Library.