



Office of Civil Rights & Open Government

Chinook Building, 401 Fifth Avenue, Suite 215

Seattle, Washington 98104-1818

206-263-2446 TTY Relay: 711

206-296-4329 Fax

civil-rights.OCR@kingcounty.gov

www.kingcounty.gov/civilrights

COMMONLY ASKED QUESTIONS ABOUT SERVICE ANIMALS

1. What are the disability access laws that apply to King County government and what do they require?

The Americans with Disabilities Act (ADA, Title II), Section 504 of the Rehabilitation Act of 1973, the Washington State Law Against Discrimination (WLAD, RCW 49.60), and the King County Public Accommodations Ordinance (KCC 12.22) require that local governmental agencies provide reasonable modifications to existing policies, practices and procedures to ensure equal access to programs and services.

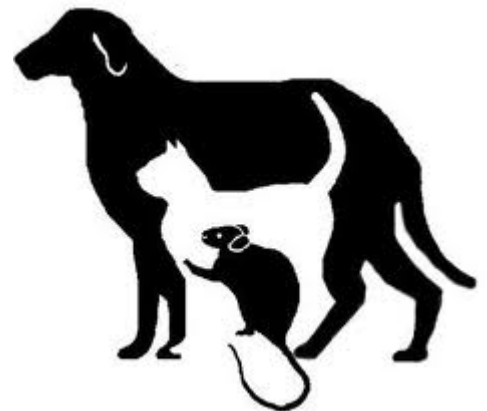
Under these laws and also King County policy, people with disabilities may be accompanied by their service animals onto county premises, even where pets are prohibited.

2. What is a disability?

Disability access laws define disability as any physical or mental condition that substantially limits one or more major life activities, and can include such activities as walking, talking, breathing, working, caring for oneself, etc. Washington law defines disability more broadly, as any condition that is “medically cognizable or diagnosable,” and states that “a disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated.”

3. What is a service or assistive animal?

King County ordinances define a service or assistive animal as “a dog guide, signal or hearing dog, seizure response dog, therapeutic companion animal or other animal that does work, performs tasks or provides medically necessary support for the benefit of an individual with a disability.” Under King County ordinance, companion or therapeutic assistance animals are considered to be service animals.



4. What kinds of animals might be service or assistive animals?

The most common service animals are dogs, and they may be any breed or size. Sometimes they may be other species -- here are some that do and don't fit the definition:

Common Service or Assistive Animals

- cats
- birds (parrots, parakeets, cockatiels, canaries, lovebirds, etc.)
- reptiles (snakes, lizards, geckos, etc.)
- small rodents (hamsters, guinea pigs, gerbils, rabbits, rats, etc.)
- domestic ferrets
- miniature horses
- small pot-bellied pigs

NOT Service Animals

- insects
- spiders
- full-size farm animals (horses, pigs, cows, etc.)
- wild animals (squirrels, crows, deer, etc.) *
- potentially dangerous exotic animals (non-domesticated felines, wolves, bears, reptiles, monkeys or apes) *

NOTE: Check with city/county animal codes, which may be more restrictive.

** In Washington, it is illegal to possess any wild animal that naturally lives in the state (i.e., squirrels, crows, deer). It is also illegal to possess potentially dangerous wild exotic animals (see below).*

RCW §16-30: No person may possess ... a potentially dangerous animal A potentially dangerous animal includes but not limited to large cats, wolves, bears, hyenas, non-human primates, ... and various species of venomous snakes.

5. How can someone tell if an animal is a service animal and not just a pet?

There is no legal requirement for service animals to be specially identified or for the animal's owner to carry documentation paperwork. Some, but not all, service animals wear special collars and harnesses. King County policy prohibits requiring written proof of a person's disability, or identification or certification of the service animal's status. County staff may ask the person if it is a service animal required because of a disability.

There are occasions when a person may need more than one service animal, though this is not common. A person with a disability might need one service animal to perform a specific task and a second animal to provide some other benefit related to the disability.

6. What about service animals in training?

As a matter of policy, King County permits access to individuals, with or without a disability, accompanied by service animals-in-training. People and their accompanying service animals-in-training are subject to the conditions and limitations established by law and applicable to people with disabilities and their service animals.

**7. Can county staff restrict the areas where the service animal can go?
Can a fee be charged when a service animal is brought into a county facility?**

The service animal must be permitted to accompany its handler to all areas of the facility where members of the public are normally allowed to go, unless its presence or behavior constitutes a fundamental alteration or direct threat to safety. A person may not be segregated from other people just because he or she has a service animal.

King County may not charge any fee related to the use of service animals. A county department may charge the owner/handler for any damage that a service animal causes.



8. Does a service animal have to be on a leash? Who is responsible for the service animal while it is in a county facility?

Most service animals should be on leash or in a carrier. However, sometimes a service animal may need to be off-leash briefly to perform a particular task, or someone's physical disabilities make it difficult or impossible to hold a leash – in these cases, an exception may be made. It is required that the animal be under the person's "direct control" (if not on leash or in a carrier, the animal is effectively controlled by voice or hand commands).

The care or supervision of a service animal is solely the responsibility of the animal's owner. County staff are not required to provide care or food for the animal. The animal should be well-groomed and housebroken.

9. What if a service animal barks or growls at other people, or otherwise threatens people or other animals?

County staff may exclude a service animal from the facility when the animal's behavior poses a "direct threat" to the health or safety of others. However, they cannot make assumptions about how a particular animal is likely to behave – each situation must be considered individually.

Although a county office may exclude a service animal that is a direct threat to safety, it should give the person the option of continuing to access its services or enjoy its programs and activities without having the service animal on the premises.

10. What if a service animal doesn't really seem dangerous, but is disruptive?

County offices are not required to accommodate a service animal when doing so would result in a "fundamental alteration" to the nature of the service or activity, such as when the animal disrupts business activity. For example, an animal can be excluded when it makes repeated loud noise or initiates unsolicited contact with people, such as barking incessantly or jumping on people.