



## **Town of Surfside, Parks and Recreation Department Service Animal Policy**

The Town of Surfside, Parks and Recreation Department Service Animal Policy meets all of the requirements of the Americans with Disabilities Act. This includes allowing persons with disabilities to use service animals in parks, inside park facilities, and during programs. With the exception of designated dog park areas, pets are not allowed in Town of Surfside Parks and Recreation facilities. Service animals are not pets. Policies banning dogs and pets from parks and facilities do not apply to service animals.

A "service animal" is a well behaved dog trained to perform tasks for an individual with a disability. The tasks may include, but are not limited to, guiding a person who is visually impaired or blind, alerting a person who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, alerting and protecting a person who is having a seizure, retrieving objects, or performing other special tasks. Therapy, comfort or emotional support animals are not service animals, and are not allowed in parks or facilities. No documentation is required to prove that a dog is a service animal.

In accordance with Florida law, service animals must be harnessed, leashed or tethered and must be under control. The only time a service animal may be off leash, harness or tethered, is when being on it would inhibit the dogs ability to perform tasks for an individual with a disability. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls. To confirm that a dog is a service animal, employees may ask whether the dog is a service animal or not, and they may ask what tasks the dog performs for the individual, but they may not ask the individual questions about disability. These questions are solely to confirm that the animal is a service animal.

In accordance with state requirements, individuals training service animals have all of the privileges that persons with disabilities using service animals have. Persons with disabilities using service animals are allowed in any area that the public uses. This includes restaurants, beaches, pool facilities, spectator areas, parks, fields, courts, etc. Although service animals are allowed on the pool deck and in the pool dressing rooms,

service animals are not allowed in the actual pool. Although service animals are allowed in restaurants, service animals are not allowed in the kitchen of a restaurant.

A fee may not be charged for a service animal to attend an event or activity. The individual using the service animal is responsible for any damage service animal causes, and can be charged for these damages, if damage would typically be charged to the user. Allergies and fear of animals are not valid reasons for denying access or refusing service to an individual using a service animal.

Employees may exclude or remove a service animal, if the animal's behavior poses a direct threat to the health and safety of others or if the animal's presence fundamentally alters the nature of the program taking place. Employees may ask someone with a service animal to leave an area if the animal is disruptive, (barking during a performance), causes damage, (digging holes), or bothers others (excessive barking, aggressively approaches other visitors). If a service animal is excluded or removed for any of the reasons above, the employees must provide the individual with a disability the option of continuing access to the park, facility or program without having the service animal on the premises.

In limited circumstances, miniature horses may function as service animals. Miniature horses are less than 34" tall, and must be house trained. The same requirements above pertain to miniature horse service animals.

For direct inquiries regarding service animals, contact the Department of Justice ADA at 1-800-514-0301.