



## SERVICE ANIMALS

### WHEN ARE ANIMALS ALLOWED?

- Service animals
- Decorative fish aquariums
- Molluscan shellfish or crustacean display tanks



## WHAT IS A SERVICE ANIMAL?

- A dog\* that has been trained to do work or perform tasks for an individual with a disability
- The task(s) performed by the dog must be directly related to the person's disability
- **Example:** A dog is trained to alert their diabetic handler when the person's blood sugar levels are not correct
- **Example:** A dog is trained to detect the onset of a seizure and help keep the handler safe during the event

\*Miniature horses may also be permitted.



<http://www.equitrekking.com/articles/entry/miniature-horses-as-service-animals/>



<http://hcdg.org/pix/service.dog.wheelchair.jpg>

<http://www.wideopenpets.com/in-colorado-its-now-illegal-to-misrepresent-a-pet-as-a-service-animal/>



[http://www.neworleans.va.gov/features/New\\_service\\_dog.asp](http://www.neworleans.va.gov/features/New_service_dog.asp)



## WHAT IS NOT A SERVICE ANIMAL?

- Emotional support, therapy, comfort or companion animals
- The ADA considers these animals that only provide comfort by being with a person
- They have **not** been trained to do a specific task or job
- **Check with State/local government agencies to see if they are allowed**



## WHAT QUESTIONS CAN I ASK?

1. Is the dog a service animal required because of a disability?
  2. What work or task(s) has the dog been trained to perform?
- You can not ask for documentation for the dog
  - You can not ask for the dog to perform its task
  - You can not ask about the type of disability the person has

## UNDER CONTROL/EXCLUSION

- The service animal must be harnessed, leashed, or tethered while in public places unless these devices interfere with the service animal's work or the person's disability prevents use of these devices. In that case, the person must use voice, signal, or other effective means to maintain control of the animal.

[https://www.ada.gov/regs2010/service\\_animal\\_qa.html#def](https://www.ada.gov/regs2010/service_animal_qa.html#def)



## UNDER CONTROL/EXCLUSIONS

- A service animal should not be allowed to bark repeatedly in a lecture hall, theater, library, or other quiet place. However, if a dog barks just once, or barks because someone has provoked it, this would not mean that the dog is out of control.

[https://www.ada.gov/regs2010/service\\_animal\\_qa.html#def](https://www.ada.gov/regs2010/service_animal_qa.html#def)

## UNDER CONTROL/EXCLUSIONS

- If a service animal is out of control and the handler does not take effective action to control it, staff may request that the animal be removed from the premises
- Seating, food and drink are reserved for customers only, the dog must stay on the floor
  - Some dogs may be required to be in a chest harness to properly detect changes in handlers who are diabetic

## UNDER CONTROL/EXCLUSIONS

- Even if the animal is properly excluded, the individual with the disability must be allowed to obtain goods, services, and accommodations without the animal present



<http://www.restaurant.org/Manage-My-Restaurant/Workforce-Management/Training/What-you-need-to-know-about-service-animals>

## ILLINOIS FOOD CODE

- “Service Animal”
  - Means an animal such as a guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.



## ILLINOIS FOOD CODE

### 2-403.11 Handling Prohibition.

(A) Except as specified in ¶ (B) of this section, FOOD EMPLOYEES may not care for or handle animals that may be present such as patrol dogs, SERVICE ANIMALS, or pets that are allowed as specified in Subparagraphs 6-501.115(B)(2)-(5).<sup>Pf</sup>

*(B) FOOD EMPLOYEES with SERVICE ANIMALS may handle or care for their SERVICE ANIMALS and FOOD EMPLOYEES may handle or care for FISH in aquariums or MOLLUSCAN SHELLFISH or crustacea in display tanks if they wash their hands as specified under § 2-301.12 and ¶ 2-301.14(C).*

## ILLINOIS FOOD CODE

### 6-501.115 Prohibiting Animals.

(A) Except as specified in ¶¶ (B) and (C) of this section, live animals may not be allowed on the PREMISES of a FOOD ESTABLISHMENT.<sup>Pf</sup>

*(B) Live animals may be allowed in the following situations if the contamination of FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES can not result:*

*(1) Edible FISH or decorative FISH in aquariums, shellfish or crustacea on ice or under refrigeration, and shellfish and crustacea in display tank systems;*

*(2) Patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas, and sentry dogs running loose in outside fenced areas;*

*(3) In areas that are not used for FOOD preparation and that are usually open for customers, such as dining and sales areas, SERVICE ANIMALS that are controlled by the disabled EMPLOYEE or PERSON, if a health or safety HAZARD will not result from the presence or activities of the SERVICE ANIMAL;*

## ILLINOIS FOOD CODE

(4) *Pets in the common dining areas of institutional care facilities such as nursing homes, assisted living facilities, group homes, or residential care facilities at times other than during meals if:*

(a) *Effective partitioning and self-closing doors separate the common dining areas from FOOD storage or FOOD preparation areas,*

(b) *Condiments, EQUIPMENT, and UTENSILS are stored in enclosed cabinets or removed from the common dining areas when pets are present, and*

(c) *Dining areas including tables, countertops, and similar surfaces are effectively cleaned before the next meal service; and*

(5) *In areas that are not used for FOOD preparation, storage, sales, display, or dining, in which there are caged animals or animals that are similarly confined, such as in a variety store that sells pets or a tourist park that displays animals.*

(C) *Live or dead FISH bait may be stored if contamination of FOOD; clean EQUIPMENT, UTENSILS, and LINENS; and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES can not result.*

## RESOURCES

- Illinois Attorney General
  - <http://www.ag.state.il.us/rights/servanimals.html>
  - Carbondale Office: (618) 529-6400
- American Disabilities Act
  - [www.ada.gov](http://www.ada.gov)
  - [https://www.ada.gov/regs2010/service\\_animal\\_qa.html](https://www.ada.gov/regs2010/service_animal_qa.html)
  - [https://www.ada.gov/service\\_animals\\_2010.pdf](https://www.ada.gov/service_animals_2010.pdf)
- Michigan State University-Animal Legal & Historical Center
  - <https://www.animallaw.info/statute/il-assistance-animals-assistance-animalguide-dog-laws#s201c>
- Illinois ADA Project
  - <http://www.equipforequality.org/ada-il/>
  - 877-ADA-3601
- Illinois Food Code
  - <http://www.egyptian.org>