

SERVICE ANIMALS



FAQ

Q: How can I tell if an animal is really a Service Animal and not just a pet?

A: In situations where it is not obvious that the dog is a Service Animal, you may ask only **two** specific questions:

1.) Is the dog a service animal required because of a disability?

2.) What work or task has the dog been trained to perform?

You may not ask for proof or documentation for animals in public places or for a demonstration of the task.

Examples of services include:

- Guiding a person who is blind
- Alerting a person who is deaf
- Interrupting a compulsive behavior
- Retrieving objects

Q: What if I think the person is lying about the animal being a Service Animal when answering the two questions?

A: The law requires you to take the person at their word.

Q: Do Service Animals have to wear a vest, patch, or special harness identifying them as a Service Animal?

A: No.

Laws do not require Service Animals to wear a vest, ID tag, harness, or any other identifying items.

Some individuals choose to use such items even though they are not required.

Q: Who is responsible for the care and supervision of a Service Animal?

A: The handler is responsible for caring for and supervising the Service Animal, which includes toileting, feeding, grooming, and veterinary care.

Rights and Responsibilities

- ✓ Permitted anywhere the handler may go: exam rooms, cafeterias, waiting rooms
- ✓ Any breed, weight, and size
- ✓ Working animals and not pets
- ✓ Under control at all times
- ✓ Housebroken
- ✓ May not pose direct threat to health or safety



In Massachusetts, service animals in training have the same status as fully trained service animals.

Q: What if someone has an allergy to dogs? Isn't that a disability too?

A: Allergies are not a permissible reason to deny entry to a person with a Service Animal; BUT places may have to accommodate both parties.

- ✓ Allergies may or may not rise to the level of disability
- ✓ If possible, separate without excluding either
- ✓ Educate individuals about Service Animal rights
- ✓ Have literature on hand
- ✓ You may not be able to accommodate everyone in every situation.
- ✓ Good faith effort

Vaccination, Health Codes, Licensure

- ✓ **State or local health codes** cannot be used as a reason to deny access to a Service Animal.
- ✓ **Vaccinations:** Service Animals are not exempt from local animal control or public health requirements that dogs be vaccinated.
 - ✓ A Service Animal user can be asked whether their animal is up-to-date on its rabies vaccination, however, they cannot be asked to produce documentation or other proof of vaccination, and the Service Animal cannot be automatically excluded if it does not have its rabies vaccination.
- ✓ **Licensure:** Service Animals are subject to local dog licensing and registration requirements that apply to all dogs.
 - ✓ MA State Law prevents Municipalities from charging a **licensing fee** for their Service Animal

Q. Are emotional support, therapy, comfort, or companion animals considered service animals under the ADA?

A. No. These terms are used to describe animals that provide comfort just by being with a person. Because they have not been trained to perform a specific job or task, they do not qualify as service animals under the ADA.

Please remember!

- ** No service dogs are allowed on common furniture, shopping carts, restaurants seats, waiting room furniture. Tell management if you see this happening.
- ** No animals or pets are permitted on any beaches Labor Day through Memorial Day. The term beaches shall include sand, dune, water and parking lots.

Where can dogs go?

Thompsons Field <https://harwichconservationtrust.org/trail/thompsons-field-conservation-area/>

Red River Beach– Dog walking is allowed in the parking lot area only from Dawn - 9:00 am and from 4:30 pm - Dusk, Memorial Weekend through Labor Day.

Harwich beaches before Labor Day and after Memorial Day.

EFFECTIVE DATES – The day after Labor Day through the day before Memorial Day (Any Year)

“SCOOPER LAW” M.G.L. Chapter 111 Section 31 is in effect.

VIOLATION OF THIS REGULATION IS SUBJECT TO A FINE OF FIFTY (\$50.00) DOLLARS.

All animal owners are responsible for removing wastes produced by their animals on all public property within the Town of Harwich.

For more information:

ADA National Network- Service Animals and Emotional Support Animals:

<https://adata.org/guide/service-animals-and-emotional-support-animals>

FAQ about Service Animals and the ADA:

https://www.ada.gov/regs2010/service_animal_ga.html

About service and assistance animals: <https://www.mass.gov/service-details/about-service-and-assistance-animals>

U.S. Department of Justice Releases New Service Animal FAQ:

<https://blog.mass.gov/mod/service-animals/u-s-department-of-justice-releases-new-service-animal-faq/>

If you have questions, please contact the

Harwich Health Department at health@harwich-ma.gov or 508.430.7509