

RESOLUTION
TO ADOPT
POLICY FOR SERVICE ANIMALS IN MACON COUNTY
PUBLIC BUILDINGS
NO.6-36/21

WHEREAS, Titles 2 and 3 of the Americans with Disability Act (ADA) provide for the accommodation of disabled persons utilizing service animals; and

WHEREAS, Macon County intends to formalize a policy that accommodates the use of service animals in its public buildings consistent with the aforementioned Act; and

WHEREAS, the Macon County, TN Service Animal Policy (SAP) is enacted with the intent to permit service animals to accompany people with disabilities in all areas of buildings where members of the general public are allowed to enter; and

NOW THEREFORE, BE IT RESOLVED that the following policies and conditions of use of service animals are enacted for Macon County, TN public buildings:

1. Generally, service animals will be allowed in the areas of Macon County public buildings that are open to the general public. A service animal would not be allowed in the portions of Macon County public buildings which is not admissible to the general public, such as storage areas, utility closets, private offices, etc.
2. Only dogs will be recognized under this policy as a "service animal" consistent with Titles 2 and 3 of the Americans with Disability Act (ADA).
3. In order to qualify as a service animal the dog must be individually trained to do work or perform acts or tasks for a person with a disability. Examples of such work or tasks include guiding people who are sight impaired, alerting people who are hearing impaired, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets.
4. The work or task a dog has been trained to provide must be directly related to the person's disability.
5. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA and therefore would not qualify for entrance into Macon County public buildings.
6. A disability must meet the definition of a disability under the ADA.
7. Upon entering a public building the service animal must be harnessed, leashed, or tethered, unless the individual's disability prevents using these devices or these devices interfere with the service animal's safe, effective performance of tasks. In that case, the individual must maintain control of the animal through voice, signal or other

effective controls. In the event the dog is out of control and the handler does not take effective action to control it or the dog is not house broken, then it can be removed from the premises.


8. When a person presents for entrance into a Macon County public building with a proposed service dog, the following questions may be asked before the service dog is allowed further entry:
 - a. Is the dog a service dog that has actually been trained to perform tasks for a person with a disability;
 - b. Does the person have a disability recognized under the ADA; and
 - c. What work or tasks has the dog been trained to perform to assist the person with the disability.

If the dog does not satisfy the criteria for a, b and c, it cannot be brought into the public building.

In reviewing the criteria, the service dog's handler cannot be asked to provide documentation concerning the dog's training, documentation concerning the person's disability or require the dog to demonstrate its ability to perform the task for the person's disability.

9. Signage indicating that service dogs are permitted will be placed in the entry area of the county buildings.
10. Notifications will be listed on the county's website indicating service dogs are permitted in County buildings.
11. In security sensitive buildings, such as the Courthouse, Jail, Justice Center, the service dog will be subject to screenings by a metal protector and hand searches.
12. County officials who are responsible for public entry into the offices or buildings where they carry out their duties, may designate a place in the office or building where the service dog should be placed unless the nature of its tasks requires it to be in close approximation to its handler.
13. The purpose of this policy is to be inclusive in the admittance of service dogs into Macon County public buildings and in the event it is questionable as to whether or not the dog or its handler meets the criteria of paragraph 8 above deference shall be made in favor of allowing entry of the dog into the public building.

Adopted by the Macon County Commissioners this the 21st day of June 2021.


CHAIRMAN


SECRETARY