

## **Duxbury Free Library Policy: Use of Library**

The Duxbury Free Library seeks to provide a calm and productive environment where all visitors and staff can use the facility and its resources. The Library, in its role as steward of a public building, reserves the right to maintain order. Users should exhibit appropriate behavior that does not interfere with the use of the library by other patrons, nor interferes with a staff member's completion of their duties.

Disruptive activities may include inappropriate use of the elevator, automatic doors, library property and equipment, and disturbing the peace and rights of the staff and of other patrons to use the Library. Users should identify themselves to library staff when asked and follow existing statutes for use of a public building.

(See: Mass. General Laws references for supportive information)

### **Animals in the Library**

No pets or animals other than service dogs or service dogs in training are allowed in the Library. Owners of pets may be asked to remove them from the Library. The Library recognizes that it must make reasonable modifications in its policies, practices, and procedures to permit the use of service animals by individuals with disabilities on Library premises, unless making the modifications would fundamentally alter the nature of the service, program, or activity. Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the Library, where members of the public; participants in services, programs, or activities; or invitees, as relevant, are allowed to go.

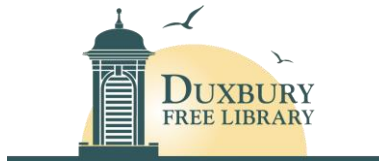
Under the ADA, a "service animal" is defined as "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability." Service animals are working animals, not pets.

An animal whose sole function is to provide comfort or emotional support is not a "service animal."

Allergies and fear of dogs are not valid reasons for denying access or refusing services to people using service animals. When a person who is allergic to dog dander or fearful of dogs and a person who uses a service animal must spend time in the same area, they both should be accommodated by assigning them, if possible, to different locations within the room/facility.

The Library shall not be responsible for the care and/or supervision of a service animal.

A service animal must be under the control of its handler. A service animal must have a leash, harness, or other tether unless the individual's disability prevents them from using such devices or the use of such devices interferes with the service animal's safe, effective performance of work or tasks, in which case, the service animal must be under the handler's control by other means such as voice control, signals, or other effective means.



The Library recognizes that while the definition of “service animal” does not include miniature horses, the Title II regulations implementing the ADA require public entities to make reasonable modifications in policies, practices, or procedures to allow the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications can be made, the Library must consider the type, size, and weight of the miniature horse and whether the building can accommodate these features, whether the handler has sufficient control of the miniature horse, whether the miniature horse is housebroken, and whether the miniature horse’s presence in a specific facility compromises the legitimate safety requirements that are necessary for safe operation. All of the requirements regarding the use of a service animal, as described above, apply to the use of a miniature horse.

The Library does not condone leaving non-service animals outside the Library in a way that may endanger the animal or Library patrons. The Library reserves the right to contact the police regarding any unattended animals on its premises.

Pending approval by the Director or their designee, the Library may have animals in the building as part of its educational and recreational offerings.

### **Guidelines for implementing the policy:**

A staff member may intervene with a patron in order to prevent injury or property damage.

If a staff member feels that a patron’s behavior is threatening to the safety of other patrons or staff members, they will call the police immediately and/or may activate the panic alarm located at all major service desks.

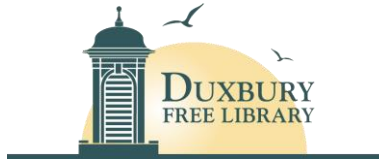
If a library user continually violates this policy, library administration or the supervisor of the day can take the following steps:

1. Issue a verbal warning, with the statement that the person(s) will be asked to leave the building if the behavior in question does not cease.
2. Ask the user to identify themselves. Request that the person(s) leave the library, and communicate this to other staff members. In the case of a minor, attempt to get a parent’s or caregiver’s name and phone number.
3. Invoke a temporary ban from the building.
4. Call the police for assistance if the situation so requires.
5. Follow up with a written incident report to the director.

If a person enters the building with an animal, and it is not obvious that it is a service animal, staff may ask only the following two 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?

If the animal is not a service animal, staff may ask the patron to remove the animal from the building. If the animal is identified as a service animal, staff cannot ask about the nature or extent of the person’s disability, require medical documentation, require a special identification card or training documentation for the dog, or



ask that the dog demonstrate its ability to perform the work or task. The law requires that staff take the individual at their word.

Library staff may request that a person remove a service animal from the premises under the following circumstances:

1. The animal is out of control and the animal's handler does not take effective action to control it;
2. The animal is not housebroken
3. The animal poses a direct threat to the health and safety of others in the building.

If the service animal is excluded from the premises, the Library will allow the individual to participate in the activity without the service animal on the premises.

*(Massachusetts General Laws Annotated: Administration of the Government (Ch. 1-182) Ch. 78, § 7, Chapter 266, Crimes Against Property, Section 99, Libraries; definitions, 99A, Libraries; theft of materials or property; destruction of records, and 100 Libraries; mutilation or destruction of materials or property; Chapter 272, Crimes against Chastity, Morality, Decency and Good Order, Section 41, Disturbance of libraries; Chapter 272, 98A, Primary Service Animal Law)*

*This policy will be reviewed annually by the Board of Library Trustees and ratified or amended at that time.*

*Adopted: Library Board of Trustees, 10/14/2004*

*Last Revised: 2/14/2023*