

# MARION COUNTY FAIR POLICIES AND PROCEDURES

**Sponsoring Department:**  
Public Works- County Fair

## **SUBJECT: MARION COUNTY FAIR- DOGS ON FAIRGROUNDS- AMERICANS WITH DISABILITIES ACT SERVICE ANIMALS**

### **1.0 Purpose**

To provide and enforce the Americans With Disabilities Act (ADA) established guidelines for allowing service animals, such as dogs, on the grounds of the Marion County Fair.

### **2.0 General Policy**

MCF does not allow dogs on the fairgrounds unless the dogs are participating in an organized/scheduled event. Examples of possible events are dogs enrolled in 4H Dog Obedience, NW Flyball competition, or Dachshund races.

The ADA Service Animal provision dictates that the MCF will allow dogs on the grounds that may not meet the above criteria. These dogs have been identified as service animals.

Service animals are animals that are individually trained to perform tasks for people with disabilities- such as guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure, or performing other special tasks. Service animals are working animals, not pets.

Under the ADA, businesses and organizations that serve the public must allow people with disabilities to bring their service animals into all areas of the facility where customers are normally allowed to go. This federal law applies to all businesses, open to the public, including restaurants, hotels, taxis, and shuttles, grocery and department stores, hospitals and medical offices, theaters, health clubs, parks and zoos.

### **3.0 Policy Guidelines/Procedures**

3.1 MCF may ask if an animal is a service animal or ask what tasks the animal has been trained to perform, but cannot require special ID cards for the animal or ask about the person's disability.

3.2 People with disabilities who use service animals cannot be charged extra fees, isolated from other patrons, or treated less favorable than other patrons. However, if a business such as a hotel normally charges guests for damage that they cause, a customer with a disability may be charged for damage caused by his or her service animal. Similarly, if a dog on the fairgrounds causes damage to a booth, landscaping, or other, any repair costs associated are the responsibility of the handler.

3.3 Should the service dog cause personal injury to a fair patron, the handler of the dog will be held responsible for any costs associated with the injury.

3.4 A person with a disability cannot be asked to remove his service animal from the premises unless:

1. The animal is out of control and the animal's owner does not take effective action to control it (for example a disruptive barking dog)
2. The animal poses a direct threat to the health or safety of others.

In these cases, the business should give the person with the disability the option to obtain goods and services without having the animal on the premises.

3.5 Businesses that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.

3.6 A business is not required to provide care or food for a service animal or provide a special location for it to relieve itself.

3.7 Allergies and fear of animals are generally not valid reasons for denying access or refusing service to people with service animals.

3.8 Service dog etiquette:

- Do not touch the service animal, or the person it assists, without the owner's permission
- Do not make noises at the service animal; this action could distract the animal from performing its job
- Do not feed the service animal; this could disrupt his/her schedule

*Resources:*

ADA Business Brief- Service Animals

US Department of Justice, Civil Rights Division, Disability Rights Section

April 2002

Indiana Protection and Advocacy Services web page 2009

<http://www.in.gov/ipas/2393.htm>

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