

**MINUTES**

**SOCIAL SERVICES COMMITTEE**  
**Standing Committee to the Laughlin Town Advisory Board**  
**June 16, 2015**  
**8:30 A.M.**

**Laughlin Regional Government Center**  
**101 Civic Way, LAUGHLIN, NEVADA**

**Members Present:** Victoria Conely  
Dave Brownlee  
Cheryl Seipke  
Pat Gutierrez  
Lance Ross

**Members Absent:**  
Jack Barley, Unexcused

**Others Present:**  
Julie Fairman, Laughlin Times

**1. CALL TO ORDER**

- A.** Conformance with the Nevada Open Meeting Law.
- B.** Agenda items may be taken out of order if deemed necessary.
- C.** The Social Services Committee may combine two or more agenda items for consideration.
- D.** The Social Service Committee may remove an item from the agenda or delay discussion relating to an item at any time.

**2. ORGANIZATIONAL ITEMS**

- A.** Approval of the June 16, 2015 Agenda.

**Pat Gutierrez** moved **Victoria Conely** seconded the approval of the agenda.  
Motion carried 4-0.

- B.** Approval of the May 19, 2015 Minutes.

**Pat Gutierrez** moved **Cheryl Seipke** seconded the approval of the minutes.  
Motion carried 4-0.

3. **COMMENTS BY THE GENERAL PUBLIC:** This is a period devoted to comments by the general public about items on *this* agenda. If you wish to speak to the committee about items within its jurisdiction but not appearing on this agenda, you must wait until the “Comments by the General Public” period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker’s podium, clearly state your name and address and *spell* your last name for the record. If any member of the committee wishes to extend the length of a presentation, this will be done by the Chair or the committee by majority vote. The committee retains the discretion to take additional public comments during times other than during a Public Hearing or during the Public Comment Sessions. In all other instances, a citizen may speak on any matter before the committee for consideration, after receiving recognition and consent of the Chairman of the committee.

4. **COMMITTEE BUSINESS**

- A. **Anita Frantz, Rights Advocate, Nevada Disability Advocacy & Law Center to present information ADA (American Disabilities Act) and reasonable accommodations in public places, and services animals.**

**FOR POSSIBLE ACTION**

**Anita Frantz** gave an overview of services that the Nevada Disability Advocacy & Law Center provides. The agency is a private, statewide non-profit organization that serves as Nevada’s federally mandated protection and advocacy system for human, legal, and service rights for individuals with disabilities. Services provided include, but are not limited to: information and referral services, education, training, negotiation, medication, investigation of reported or suspected abuse/neglect, legal counsel, technical assistance, litigation services, and public policy work.

The presentation focused on service animals. All information given is included in the ADA handout at the end of these minutes.

- B. **Committee to review the draft of the Laughlin Resource Directory.**

**FOR POSSIBLE ACTION**

**Victoria Conely** reports that the funding for the resource directory is in the Budget, has not been approved, but the Laughlin Town Manager’s Office is confident that it will be approved. The Town Manager’s Office would like the Resource Directory to be finalized at the July or August meeting of the Social Service Committee. **Pat Gutierrez** requests committee members look through the draft directory and contact her if any changes are to be made. **Pat** has verified all phone numbers in the draft.

5. **COMMENTS BY THE GENERAL PUBLIC:** This is a period for the Public to comment on items within the jurisdiction of the Social Services Committee, but not appearing on this agenda. If any member of the committee wishes to extend the length of their comments, this will be done by the Chairman, or the committee by majority vote. When speaking during a specific item or during the Public Comments sessions, please step up to the speaker's podium, clearly state your name and address – please spell your name for the record – and limit your comments to no more than three (3) minutes. No vote may be taken on any matter not listed on the posted agenda.

**Lance Ross**, Ex Officio committee member, announces that he has resigned at Valley View Medical Center. **Lance** states that he wishes to stay on the committee but will resign if the committee wishes. Committee members present state that they choose to have **Lance** remain on the committee. **Lance's** contact information: phone- 303-809-8110, email - [Writerross@msn.com](mailto:Writerross@msn.com)

6. **NEXT MEETING DATE:** July 21, 2015, 8:30 A.M., Laughlin Regional Government Center, 101 Civic Way, Laughlin, Nevada. Agenda items due no later than July 13, 2015.
7. **ADJOURNMENT**  
**Pat Gutierrez** made a motion to adjourn the meeting at 9:12 a.m., seconded by **Victoria Conely**. Motion carried 4-0.

**NOTE:** *These meeting minutes are in draft form and will be formally approved at the July 21, 2015 meeting. Any corrections to these minutes will be reflected in the minutes of the August 18, 2015 meeting.*

U.S. Department of Justice  
Civil Rights Division  
Disability Rights Section



## Service Animals

The Department of Justice published revised final regulations implementing the Americans with Disabilities Act (ADA) for title II (State and local government services) and title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register. These requirements, or rules, clarify and refine issues that have arisen over the past 20 years and contain new, and updated, requirements, including the 2010 Standards for Accessible Design (2010 Standards).

### Overview

This publication provides guidance on the term "service animal" and the service animal provisions in the Department's new regulations.

- Beginning on March 15, 2011, only dogs are recognized as service animals under titles II and III of the ADA.
- A service animal is a dog that is individually trained to do work or perform tasks for a person with a disability.
- Generally, title II and title III entities must permit service animals to accompany people with disabilities in all areas where members of the public are allowed to go.

### How "Service Animal" Is Defined

**Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities.** Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, 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. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

This definition does not affect or limit the broader definition of "assistance animal" under the Fair Housing Act or the broader definition of "service animal" under the Air Carrier Access Act.

Some State and local laws also define service animal more broadly than the ADA does. Information about such laws can be obtained from the State attorney general's office.

### Where Service Animals Are Allowed

**Under the ADA, State and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go.** For example, in a hospital it would be inappropriate to exclude a service animal from areas such as patient rooms, clinics, cafeterias, or examination rooms. However, it may be appropriate to exclude a service animal from operating rooms or burn units where the animal's presence may compromise a sterile environment.

## Service Animals Must Be Under Control

**Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices.** In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

### Inquiries, Exclusions, Charges, and Other Specific Rules Related to Service Animals

- When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about 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.
- Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.
- A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.
- Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.
- People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a business requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.
- If a business such as a hotel normally charges guests for damage that they cause, a customer with a disability may also be charged for damage caused by himself or his service animal.
- Staff are not required to provide care or food for a service animal.

### Miniature Horses

**In addition to the provisions about service dogs, the Department's revised ADA regulations have a new, separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities.** (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.) Entities covered by the ADA must modify their policies to permit miniature horses where reasonable. The regulations set out four assessment factors to assist entities in determining whether miniature horses can be accommodated in their facility. The assessment factors are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

**For more information about the ADA, please visit our website or call our toll-free number.**

#### ADA Website

[www.ADA.gov](http://www.ADA.gov)

To receive e-mail notifications when new ADA information is available, visit the ADA Website's home page and click the [link](#) near the top of the middle column.

#### ADA Information Line

800-514-0301 (Voice) and 800-514-0383 (TTY)

24 hours a day to order publications by mail.

M-W, F 9:30 a.m. – 5:30 p.m., Th 12:30 p.m. – 5:30 p.m. (Eastern Time)

to speak with an ADA Specialist. All calls are confidential.

For persons with disabilities, this publication is available in alternate formats.

Duplication of this document is encouraged. July 2011

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PDF Version of this Document

July 12, 2011

U.S. Department of Justice  
Civil Rights Division  
Disability Rights Section



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## COMMONLY ASKED QUESTIONS ABOUT SERVICE ANIMALS IN PLACES OF BUSINESS

### 1. Q: What are the laws that apply to my business?

A: Under the Americans with Disabilities Act (ADA), privately owned businesses that serve the public, such as restaurants, hotels, retail stores, taxicabs, theaters, concert halls, and sports facilities, are prohibited from discriminating against individuals with disabilities. The ADA requires these businesses to allow people with disabilities to bring their service animals onto business premises in whatever areas customers are generally allowed.

### 2. Q: What is a service animal?

A: The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government.

Service animals perform some of the functions and tasks that the individual with a disability cannot perform for him or herself. Guide dogs are one type of service animal, used by some individuals who are blind. This is the type of service animal with which most people are familiar. But there are service animals that assist persons with other kinds of disabilities in their day-to-day activities. Some examples include:

- \_ Alerting persons with hearing impairments to sounds.
- \_ Pulling wheelchairs or carrying and picking up things for persons with mobility impairments.
- \_ Assisting persons with mobility impairments with balance.

A service animal is not a pet.

### 3. Q: How can I tell if an animal is really a service animal and not just a pet?

A: Some, but not all, service animals wear special collars and harnesses. Some, but not all, are licensed or certified and have identification papers. If you are not certain that an animal is a service animal, you may ask the person who has the animal if it is a service animal required because of a disability. However, an individual who is going to a restaurant or theater is not likely to be carrying documentation of his or her medical condition or disability. Therefore, such documentation generally may not be required as a condition for providing service to an individual accompanied by a service animal. Although a number of states have programs to certify service animals, you may not insist on proof of state certification before permitting the service animal to accompany the person with a disability.

### 4. Q: What must I do when an individual with a service animal comes to my business?

A: The service animal must be permitted to accompany the individual with a disability to all areas of the facility where customers are normally allowed to go. An individual with a service animal may not be segregated from other customers.

**5. Q: I have always had a clearly posted "no pets" policy at my establishment. Do I still have to allow service animals in?**

A: Yes. A service animal is not a pet. The ADA requires you to modify your "no pets" policy to allow the use of a service animal by a person with a disability. This does not mean you must abandon your "no pets" policy altogether but simply that you must make an exception to your general rule for service animals.

**6. Q: My county health department has told me that only a guide dog has to be admitted. If I follow those regulations, am I violating the ADA?**

A: Yes, if you refuse to admit any other type of service animal on the basis of local health department regulations or other state or local laws. The ADA provides greater protection for individuals with disabilities and so it takes priority over the local or state laws or regulations.

**7. Q: Can I charge a maintenance or cleaning fee for customers who bring service animals into my business?**

A: No. Neither a deposit nor a surcharge may be imposed on an individual with a disability as a condition to allowing a service animal to accompany the individual with a disability, even if deposits are routinely required for pets. However, a public accommodation may charge its customers with disabilities if a service animal causes damage so long as it is the regular practice of the entity to charge non-disabled customers for the same types of damages. For example, a hotel can charge a guest with a disability for the cost of repairing or cleaning furniture damaged by a service animal if it is the hotel's policy to charge when non-disabled guests cause such damage.

**8. Q: I operate a private taxicab and I don't want animals in my taxi; they smell, shed hair and sometimes have "accidents." Am I violating the ADA if I refuse to pick up someone with a service animal?**

A: Yes. Taxicab companies may not refuse to provide services to individuals with disabilities. Private taxicab companies are also prohibited from charging higher fares or fees for transporting individuals with disabilities and their service animals than they charge to other persons for the same or equivalent service.

**9. Q: Am I responsible for the animal while the person with a disability is in my business?**

A: No. The care or supervision of a service animal is solely the responsibility of his or her owner. You are not required to provide care or food or a special location for the animal.

**10. Q: What if a service animal barks or growls at other people, or otherwise acts out of control?**

A: You may exclude any animal, including a service animal, from your facility when that animal's behavior poses a direct threat to the health or safety of others. For example, any service animal that displays vicious behavior towards other guests or customers may be excluded. You may not make assumptions, however, about how a particular animal is likely to behave based on your past experience with other animals. Each situation must be considered individually.

Although a public accommodation may exclude any service animal that is out of control, it should give the individual with a disability who uses the service animal the option of continuing to enjoy its goods and services without having the service animal on the premises.

**11. Q: Can I exclude an animal that doesn't really seem dangerous but is disruptive to my business?**

A: There may be a few circumstances when a public accommodation is not required to accommodate a service animal--that is, when doing so would result in a fundamental alteration to the nature of the business. Generally, this is not likely to occur in restaurants, hotels, retail stores, theaters, concert halls, and sports facilities. But when it does, for example, when a dog barks during a movie, the animal can be excluded.

If you have further questions about service animals or other requirements of the ADA, you may call the U.S. Department of Justice's toll-free ADA Information Line at 800-514-0301 (voice) or 800-514-0383 (TDD).

July 1996

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updated January 14, 2008