

April 29, 2024

County of Bergen Service / Emotional Support Animal Policy – Members of the Public

SERVICE ANIMALS

In accordance with the Americans with Disabilities Act (ADA) and the New Jersey Law Against Discrimination (LAD), the County of Bergen allows service animals to accompany people with disabilities into county facilities, provided the service animal is appropriately leashed and under the control of its owner.

Service animals are defined as dogs individually trained to meet the needs of a person with a disability by performing certain tasks. The work or task the dog has been trained to provide must be directly related to a person's disability.

Service animals must be well behaved, and not pose a threat, danger, or distraction to other visitors or employees in county facilities. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA and are characterized as emotional support animals.

County security officers, site-specific staff, or Administration may inquire as to what task a service animal is trained to perform if not immediately apparent.

The ADA also has a provision for miniature horses that are individually trained to do work or perform tasks for people with disabilities. An assessment will be made by security or administration on a case-by-case basis whether a facility is equipped to admit a miniature horse without compromising the safety or operations of the facility. When possible, other accommodations will be made.

ALLERGIES AND FEAR OF ANIMALS

Allergies and fear of animals are not valid reasons for denying access to county facilities to individuals with service animals. If other members of the public or county employees have an allergy to a service animal or a fear of the animal, reasonable accommodations will be provided to each party to safeguard the wellbeing of everyone utilizing county facilities.

EMOTIONAL SUPPORT

The County may allow members of the public seeking county services to be accompanied by emotional support animals. The size, weight, and demeanor of the animal will be considered to ensure the safety and wellbeing of others. Any emotional support animal must be appropriately confined to an animal carrier or controlled by a leash or harness under the control of the owner.

County security officers, site-specific staff, or Administration may ask whether an animal is an emotional support animal which helps alleviate the symptoms of an individual's disability.

The County may also allow trained emotional support animals to be used for specific programming and services offered to the public with advance Administration approval and notification to participants.

LIABILITY

Any person bringing a service or emotional support animal into a county facility must accept full responsibility and provide supervision of the animal at all times. The animal must be harnessed, leashed, or tethered, unless such devices interfere with the animal's work or the person's disability prevents their use. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Any individual bringing a service animal into county facilities will be solely liable for any damage or injury caused by the animal while in a county facility.

POLICY ENFORCEMENT

The animal must not disrupt the operation of county facilities and must be housebroken. The presence of a service animal or emotional support animal in a county facility must not pose a threat to the health or safety of other members of the public or county employees.

A member of the public accompanied by a service animal or emotional support animal will be asked to remove the animal from the premises if the animal is unruly, disruptive, poses a threat, or is not housebroken. Any individual that violates these terms will be asked to leave the county facility and return without the animal.

If a service animal or emotional support animal is unable to enter a facility due to health and/or safety concerns, county staff will attempt to make other accommodations where possible.