

## Frequently Asked Questions

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### **Question: What can my staff do when a service animal is being disruptive?**

A: If a service animal is out of control and the handler does not take effective action to control it, staff may request that the animal be removed from the premises.

### **Question: Are restaurants, bars, and other places that serve food or drink required to allow service animals to be seated on chairs or allow the animal to be fed at the table?**

A: No. Seating, food, and drink are provided for customer use only. The ADA gives a person with a disability the right to be accompanied by his or her service animal, but covered entities are not required to allow an animal to sit or be fed at the table.

### **Question: Are emotional support, therapy, comfort, or companion animals considered service animals under the ADA?**

A: No. These terms are used to describe animals that provide comfort just by being with a person. Because they have not been trained to perform a specific job or task, they do not qualify as service animals under the ADA.

This brochure is provided by the Yavapai County Food Safety Industry Council as a summary of documents produced by the United States Department of Justice and Civil Rights Division to orient food service establishments with rules related to Service Animals. It is not intended to replace information provided on ADA.gov. For more information, please refer to the Americans with Disabilities website or contact them directly with questions.

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

**ADA Information Line:**

**800-514-0301 (Voice) and**

**800-514-0383 (TTY)**

Food Safety  
Industry Council



Industry



Education

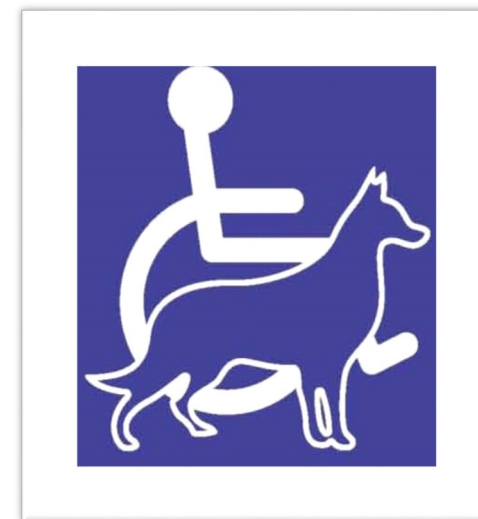


Compliance

**The Yavapai County Food Safety Industry Council (FSIC)** was established through a partnership of the University of Arizona Cooperative Extension and the Environmental Health Unit of the Yavapai County Community Health Services (YCCHS). The Council is an advisory board of the County Board of Supervisors.

**The purpose of the FSIC is to identify and address food safety issues in Yavapai County.**

<https://extension.arizona.edu/yavapai-county-food-safety-industry-council>



## Service Animals in Food Service Es- tablishments

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A summary of information from the  
Americans with Disabilities Act

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### **IN ARIZONA:**

Misrepresenting a pet, emotional support animal or other animal as a Service Animal is in violation of Arizona State Law and could result in civil penalties of up to \$250.

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## 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.

The ADA does not require service animals to wear a vest, ID tag, or specific harness.

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.

## Laws that Apply to Food Service

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.

## 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.
- ◆ 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.

- ◆ Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals.
- ◆ Staff are not required to provide care or food for a service animal.
- ◆ Some people with disabilities may use more than one service animal to perform different tasks. For example, a person who has a visual disability and a seizure disorder may use one service animal to assist with way-finding and another that is trained as a seizure alert dog.
- ◆ The ADA does not restrict the type of dog breeds that can be service animals. A service animal may not be excluded based on assumptions or stereotypes about the animal’s breed or how the animal might behave.
- ◆ 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.