

General guidelines for food establishments regarding service animals

- Individuals misrepresenting a pet as a service animal may now be charged with a misdemeanor and fined **up to \$500***.
- Service animals are defined as **ONLY** a dog or miniature horse.
- Emotional support or therapy dogs are not considered service animals by the ADA and are not allowed in food establishments.
- Food establishments **may not** allow pets on food establishment property. *This currently includes patios and outdoor seating areas.*
- Food establishments may not inquire about the nature or extent of a person's disability or make inquiries if it is readily apparent that an animal is trained to do work, i.e. a dog observed to be guiding a person who is blind or with low vision, dog pulling a person's wheelchair, etc.

A food establishment can ask two questions:

The first question must be:

Is the animal required because of a disability?

If the answer is no, the animal **must be excluded**. If the answer is yes, proceed to the second question.

The second question must be:

What work or task has the animal been trained to perform?

- If the handler refuses to answer, the animal **must be excluded**.
- If the handler discloses their disability but refuses to disclose what the animal is trained to do, the animal **must be excluded**.
- If the handler provides documentation including certification or registration that the animal is a service animal but neither the documentation nor handler can explain what the animal is trained to do, the animal **must be excluded**. *There is no state or federal service animal registry or certification process. Documentation has no legal meaning and is often purchased online.*
- If the handler answers only that the animal can sit, stay, lie down, come when called, respond to obedience commands and good manners, this does not indicate the animal is trained to provide services for a disability, and the animal **must be excluded**.
- If the handler answers that the animal makes them feel better, helps them calm down, eases

their depression, or something similar, this would indicate that it is the animal's presence alone that helps the handler, and that the animal is not trained to do a task or provide a service. Because the animal does not meet the training requirement, the animal **must be excluded**.

- If the handler answers that the animal is trained to guide them, help with balance or mobility, alert them to a condition (either physical or situational), pick up or carry items, remind them to take medication, get help, stabilize them during a seizure, redirect their attention from a trigger, or do some other task or provide some service that the person is unable to do themselves or helps with a disability, then the animal is a trained service animal and **MUST BE ALLOWED**.

If you find a patron to be misrepresenting a service animal, please contact Animal Control at 564.397.2488.

***House Bill 2822, effective January 2019, deems misrepresenting a pet as a service animal in the state of Washington as a civil infraction that carries a fine of up to \$500.**

Information provided in this document may be accessible in a digital form at: www.waservicedog.org



CLARK COUNTY WASHINGTON

**PUBLIC HEALTH
ENVIRONMENTAL HEALTH**

564.397.8000

www.clark.wa.gov/public-health

**For other formats, contact the
Clark County ADA Office**

Voice: 564.397.2322 / Relay: 711 or 800.833.6388

Fax: 564.397.6165 / Email: ADA@clark.wa.gov