



PROCEDURE

TOWNSHIP OF UXBRIDGE

SUBJECT: SERVICE ANIMALS & SUPPORT PERSONS

DEPARTMENT: ALL

DATE ORIGINATED: SEPTEMBER, 2009

**REFERENCE: ONTARIO REGULATION 429/07
Accessibility for Ontarians With Disabilities Act, 2005**

1. OVERVIEW:

Under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) all Ontario Municipalities with populations in excess of 10,000 are required to comply with *Accessibility Standards for Customer Service, Ontario Regulation 429/07* no later than January 1st, 2010. More specifically, the Township of Uxbridge is responsible to develop procedures that permit residents and other stakeholders with disabilities who have support persons or service animals to use them while accessing goods and/or services at Township of Uxbridge facilities that are open to the public and, where admission fees are charged, provide advance notice concerning the cost of admission, if any, that would be charged with respect to a support person.

2. REQUIRED COMPETENCIES:

Township of Uxbridge staff, particularly front-line staff, must be knowledgeable with regard to this Standard Operating Procedure in order to provide good customer service.

3. DEFINITIONS:

“**Guide Dog**” means a guide dog as defined in Section 1 of the *Blind Persons’ Rights Act* is a dog trained as a guide for a blind person and having qualifications prescribed by the regulations under the *Blind Persons’ Rights Act*.

“**Nurse**” means a Registered Nurse or Registered Practical Nurse who is a registered member in good standing with the College of Nurses in Ontario.

“**Physician**” means a physician who is a registered member, in good standing, with the College of Physicians and Surgeons of Ontario.

“**Premises**” means any area in those facilities owned and/or operated by the Township of Uxbridge that is open to the public.

“**Service Animal**” means any animal used by a person with a disability for reasons relating to the disability where it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or where the person provides a letter from a physician or nurse confirming that he or she requires the animal for reasons relating to his or her disability; or a valid identification card signed by the Attorney General of Canada or a certificate of training from a recognized guide dog or service animal training school.

“**Support Person**” means a person who accompanies a person with a disability in order to assist him or her with communication, mobility, personal care, medical needs or in accessing goods or services.

4. PROCEDURES:

- 4.1 If a person with a disability is accompanied by a Guide Dog or other Service Animal, the Township of Uxbridge shall ensure that the person is permitted to enter the Premises with the animal and is further able to keep the animal with them unless the animal is otherwise excluded by law from the Premises.

An example of exclusion of an animal is Ontario Regulation 562 of the *Health Protection and Promotion Act* which states that animals are not allowed in places where food is manufactured, processed, prepared, handled, served, displayed, stored, sold or offered for sale. The Regulation does make an exception for service animals, as defined therein, that allows them to go where food is only served, sold or offered for sale.

- 4.2 If a Service Animal is excluded by law from the Premises, the Township shall ensure that other measures are available that will enable the person

with a disability to obtain , use or benefit from the Township's goods and services. Staff must explain to the individual why the Service Animal is excluded and determine what other arrangements can be made in order to accommodate their request for goods or services. If the person with the Service Animal agrees, this might mean leaving the animal in a secure area where it is permitted by law. It might also mean the offer to serve the person at another location where the Service Animal is permitted.

- 4.3 There may be circumstances where, for reasons of the health and safety of other persons, allowing an individual with a disability to enter the Premises accompanied by his Service Animal needs to be considered. In the situation where another person's health and safety could be impacted by the presence of a Service Animal on Township Premises, the Township staff must analyze all available options for safely allowing the Service Animal to remain. In general, people with allergies to animals are affected only if they touch the animal or remain in close proximity to it for a period of time. Some of the options to consider would include creating a distance between the Service Animal and the affected person, eliminating all chance of contact, changing the times that each party would receive the required service or using air purifiers. The decision made must take into consideration all of the relevant factors and possible options and must meet the needs of both individuals.
- 4.4 If a person with a disability is accompanied by a Support Person, the Township shall ensure that both persons are permitted to enter the Premises together and that the person with the disability is not prevented from having access to that Support Person when needed. The Township must further ensure that Notice is given well in advance of any given service or event stipulating that the Township does apply a User Fee and charge admission with respect to a Support Person.
- 4.5 The Township may require a person with a disability to be accompanied by a Support Person when on the Premises, but only if a Support Person is necessary to protect the health and/or safety of the person with the disability or others on the Premises.

Township staff should consider whether they require the attendance of a Support Person in the following situations:

- a) When there is sufficient risk to the health and safety of the person with the disability or others where the mere possibility of risk is insufficient;
- b) When the risk is greater than the risk associated with other customers that do not have a disability and that the risk cannot be eliminated or reduced by other means;
- c) When the assessment of the risk is based on consideration of the duration of the risk, the nature and severity of the potential harm, the

likelihood that the potential harm will occur and the imminence of potential harm; and

- d) The assessment of the risk is based on the individual's actual characteristics, not merely on generalizations, misperceptions, ignorance or fears about a disability.