

## **7 CEDARS POLICY ON SERVICE ANIMALS**

As of March 15, 2023, 7 Cedars Resort Properties' policy on animals has been updated. While bringing animals into our building(s) has been accepted in the past, that policy has been discontinued and 7 Cedars will now follow the guidelines of The Americans with Disabilities Act regarding service animals.

**Therefore, guests of 7 Cedars Resort Properties are no longer permitted to bring an Emotional Support Animal (ESA), a companion animal, a therapy animal, and/or a pet into any 7 Cedars Resort building.\***

Guests are also reminded that leaving an unattended animal in a vehicle or tied up on property is strictly prohibited.

### **A SERVICE ANIMAL AS DEFINED BY TITLE II & TITLE III OF THE ADA**

*A service animal means any **dog** that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Tasks performed can include, among other things, pulling a wheelchair, retrieving dropped items, alerting a person to a sound, reminding a person to take medication, or pressing an elevator button.*

**\*Emotional support animals, comfort animals, therapy animals, and/or pets are not service animals under Title II and Title III of the ADA.** Other species of animals, whether wild or domestic, trained or untrained, also are not considered service animals. The work or tasks performed by a service animal must be directly related to the individual's disability. It does not matter if a person has a note from a doctor that states that the person has a disability and needs to have the animal for emotional support. ***A doctor's letter does not turn an animal into a service animal.***

While Emotional Support Animals (ESA) help thousands of people each year—and you may have a medical diagnosis that is benefited by the use of an ESA animal, this does not qualify your animal as a service animal. Therefore, we ask you to find other arrangements for your animal when visiting 7 Cedars Resort Properties.

We thank you for your attention to this matter. Respectfully,

**Glenn Smithson**

*7 Cedars Resort General Manager*

*For more information regarding RCW 49.60.215 which prohibits discrimination of a service animal, or RCW 49.60.214 which defines the civil infraction of misrepresentation of a service animal, please see the reverse side of this notice.*

## RCW 49.60.215 PROHIBITION OF DISCRIMINATION AGAINST SERVICE ANIMALS

RCW 49.60.215 prohibits discrimination in a place of public accommodation due to the "use of a trained dog guide or service animal by a disabled person." WAC 162-26-130 requires "fair service in a place of public accommodation regardless of the use of a trained dog guide or service animal by a disabled person as well as because of the disability itself."

Service animals must be allowed into all areas of a place of public accommodation where the general public is allowed – this includes dining and eating areas, restrooms, and areas where food is sold. A place of public accommodation cannot request that the service animal be removed unless it creates a risk of harm. This risk must be actual, and cannot be speculative or based on a fear of dogs. In addition, if an animal exhibits disruptive, poor or unsanitary behavior, it would not be considered a trained service animal, and can be removed.

### **Questions a business can ask:**

**1. A business can ask if the animal is required because of a disability (i.e. is the animal a pet or is it a service animal?). If the answer is no, or that the animal is a pet, the business can exclude the animal. If the handler answers that the animal is for a disability or is a service animal, the business can proceed to a second question.**

**2. A business can ask what work or task the animal is trained to do, such as, "What is this animal trained to do for your disability?" The answer to this question will determine if the business needs to allow the animal or if it can exclude the animal.**

- If the handler refuses to answer, the animal can be excluded.
- If the handler discloses their disability, but refuses to disclose what the animal is trained to do for them, the animal can be excluded.
- If the handler provides documentation or certification that the animal is a service animal, but neither the documentation nor the handler can explain what the animal is trained to do, the business can exclude the animal. *There is no state or federal service animal registry or certification process, so such documentation has no legal meaning and can be purchased on the Internet by anyone.*
- If the handler answers only that the animal can sit, stay, lie down, come when called, or do something else related to obedience and good manners, this does not indicate the animal is trained to provide services for a disability, and the animal can 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 business can exclude the animal.
- ***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.***

## RCW 49.60.214 MISREPRESENTATION OF A SERVICE ANIMAL

Under RCW 49.60.214 it will be a civil infraction under RCW 7.80 for any person to misrepresent an animal as a service animal. The penalty for the civil infraction can be up to \$250.00. A violation of this section occurs when a person:

- (a) Expressly or impliedly represents that an animal is a service animal as defined in RCW 49.60.040 for the purpose of securing the rights or privileges afforded disabled persons accompanied by service animals set forth in state or federal law; and
- (b) Knew or should have known that the animal in question did not meet the definition of a service animal.

If someone falsely represents an animal as a service animal an enforcement officer may investigate and enforce this law by making an inquiry of the person accompanied by the animal in question and issuing a civil infraction.

An enforcement officer shall not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal: if the animal is required because of a disability and what work or task the animal has been trained to perform. An enforcement officer shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal, or require that the service animal demonstrate its task. Generally, an enforcement officer may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for a person with a disability, such as a dog that is guiding a person who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to a person with an observable mobility disability.

If a person refuses to answer the allowable questions, then it is presumed that the animal is not a service animal and the enforcement officer may issue a civil infraction and require the person to remove the animal from the place of public accommodation.