



WILLIAMSON COUNTY POLICY FOR REGULATING ANIMALS IN WILLIAMSON COUNTY BUILDINGS

I. PURPOSE

Williamson County is committed to providing a safe and healthful workplace for all County employees and those who desire access to Williamson County Buildings, including but not limited to, public visitors, Public Officials, vendors, contractors, service providers, and volunteers. As part of this goal, the County is instituting this Policy for purposes of promoting a clean, healthy, and safe facility environment and to provide rules, regulations, and restrictions regarding the presence of animals in Williamson County Buildings.

II. SCOPE AND APPLICABILITY

Except as otherwise set forth herein, this Policy applies to all public visitors, Employees, Public Officials, contractors, service providers, volunteers, and other visitors of Williamson County Buildings. Specific policies relating to animals in, on or at Williamson County Parks, the Williamson County Expo Center, and the Williamson County Regional Animal Shelter shall not be superseded by this Policy.

III. DEFINITIONS

- A. “ADA” - means the Americans with Disabilities Act of 1990, as amended.
- B. “Comfort Animal or Emotional Support Animal” – means an animal that provides only comfort, companionship, or emotional support to a person and is not a Service Animal under state or federal law.
- C. “Disability” - shall mean a physical or mental impairment that substantially limits one or more of the major life activities of an individual and as further defined by the ADA.
- D. “Employee” - means an individual employed by Williamson County.
- E. *Person with a Disability*: A “Person with a Disability”, as defined in Chapter 121 of the Texas Human Resources Code, shall mean a person who has a mental or physical disability; an intellectual or developmental disability; a hearing impairment; deafness; a speech impairment; a visual impairment; post-traumatic stress disorder; or any health impairment that requires special ambulatory devices or services.
- F. “Policy” - means Williamson County Policy for Regulating Animals in Williamson County Buildings

- G. “Public Officials” – means appointed and elected officials.
- H. *Service Animal*: A “Service Animal” shall have the same meaning as defined by ADA Regulations, 28 C.F.R. § 35.136, and Chapter 121 of the Texas Human Resources Code.
- I. “Williamson County Building” – means any County owned or leased structure designed for the use of County Employees or the public.

IV. RULES AND REGULATIONS

- A. Except as provided herein, no person shall bring any animal into a Williamson County Building, including but not limited to, Comfort Animals or Emotional Support Animals.
- B. The following animals are permitted within a Williamson County Building:
 - i. Service Animals while accompanied by an approved trainer or Persons with a Disability;
 - ii. Service Animal accompanying an Employee as a reasonable accommodation in accordance with the ADA.
 - iii. Animals under the control of a law enforcement officer acting in the course and scope of his or her duties;
 - iv. Animals periodically used by the Williamson County Child Advocacy Center to assist victims and further the mission of the Williamson County Child Advocacy Center;
 - v. Animals required for an event or program sponsored by Williamson County; provided, however, that the event or program has been approved, in advance, by the Williamson County Commissioners Court; and
 - vi. Other animals when authorized, in advance, by the Williamson County Commissioners Court.
- C. Except for animals used by law enforcement, no animals, whether it be Service Animals, or any other animals permitted under this Policy, may be kept overnight in a Williamson County Building.

V. INDIVIDUAL RESPONSIBILITIES

An individual who brings an animal, whether it be a Service Animal or other animal, into a Williamson County Building as permitted by this Policy is solely responsible for: (i) the full control, supervision, and care of the animal; (ii) ensuring that the animal does not urinate or defecate in any Williamson County Building; (iii) cleaning and removing any urine and/or feces from a Williamson County Building; (iv) reimbursing Williamson County for any costs associated with the repair of any real and/or personal property and/or Williamson County Building damaged directly or indirectly caused by the animal or caused by the presence of the animal in a Williamson County Building; (v) complying with all other applicable Williamson County ordinances, policies, practices and procedures; (vi) ensuring the animal is harnessed, leashed, or tethered while in public

places unless the animal is a Service Animal and such devices interfere with its work or the person's Disability prevents use of such devices (in these cases, the Service Animal must be under the handler's control through voice commands, hand signals, or other effective means); and (vii) complying with any applicable local, state, or federal ordinances, statutes and regulations, including but not limited to the ADA and Chapter 121 of the Texas Human Resources Code. Williamson County will not be responsible for the care and supervision of a Service Animal.

VI. REMOVAL AND RESTRICTED AREAS

- A. Williamson County may require the removal of any animal, whether it be a Service Animal or other animal, that is in a Williamson County Building and is otherwise permitted by this Policy, or prohibit such animals from designated areas within Williamson County Buildings, if Williamson County determines, in its sole and exclusive discretion, that the animal:
- i. has damaged any Williamson County real or personal property or Williamson County Building;
 - ii. is a threat to the health or safety of others;
 - iii. is disruptive (e.g., barking, wandering, displaying aggressive behavior) and, if the animal is a Service Animal, the behavior is outside the duties of the Service Animal;
 - iv. is ill, unhygienic, unclean and/or unsanitary;
 - v. may fundamentally alter the nature of a Williamson County program, service, or activity;
 - vi. is not housebroken;
 - vii. is out of control, and the animal's handler cannot get the animal under control; or
 - viii. as otherwise permitted or required by law.
- B. If Williamson County excludes a Service Animal as allowed under this Policy and the law, Williamson County shall give the Person with a Disability the opportunity to participate in the service, program, or activity without having the Service Animal on the premises of the Williamson County Building.

VII. SERVICE ANIMAL DETERMINATIONS

In situations where it is not obvious that an animal is a Service Animal, Williamson County staff may ask the animal's handler the following two specific questions ONLY: (1) is the animal a Service Animal required because of a Disability; and (2) what work or task has the Service Animal been trained to perform.

VIII. VIOLATIONS OF THIS POLICY AND VIOLATIONS OF THE LAW

- A. Persons violating this Policy may be subject to civil and/or criminal penalties as

allowed or provided for under any applicable local, state, or federal laws or regulations; including, but not limited penalties under the ADA and Chapter 121 of the Texas Human Resources Code.

- B. Pursuant to Chapter 121 of the Human Resources Code, a person commits an offense if the person intentionally or knowingly represents that an animal is an assistance animal or service animal when the animal is not specifically trained or equipped to help a Person with a Disability. Such offense is a misdemeanor punishable by (1) a fine of not more than \$1,000; and (2) 30 hours of community service to be performed for a governmental entity or nonprofit organization that primarily serves persons with visual impairments or other disabilities, or for another entity or organization at the discretion of the court, to be completed in not more than one year.

IX. SEVERABILITY

If any provision of this Policy shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof, but rather this entire Policy will be construed as if not containing the invalid or unenforceable provision or provisions. If any provision of this Policy is determined to be invalid or unenforceable, it is the desire and intention that such provision be reformed and construed in such a manner that it will, to the maximum extent practicable, give effect to the intent of this Policy and be deemed to be validated and enforceable.

X. EFFECTIVE DATE

This Policy shall be effective upon adoption by the Williamson County Commissioners Court and shall remain in full force and effect until amended or repealed by a majority vote of the Williamson County Commissioners Court.

PASSED, APPROVED and ADOPTED by a majority of the Commissioners Court of Williamson County, Texas this the _____ day of _____, 20____.

Hon. Bill Gravell, Jr.
County Judge

Hon. Terry Cook
Commissioner, Precinct 1

Hon. Cynthia Long
Commissioner, Precinct 2

Hon. Valerie Covey
Commissioner, Precinct 3

Hon. Russ Boles
Commissioner, Precinct 4