



MOUNT VERNON MUNICIPAL COURT
5 NORTH GAY STREET
MOUNT VERNON, OH 43050
(740) 393-9510
WWW.MOUNTVERNONMUNICIPALCOURT.ORG

Stephanie Hardman
Clerk

John C. Thatcher
Judge

Robert W. O'Hara
Bailiff

NOTICE OF HANDICAP ACCESSIBILITY

The Mount Vernon Municipal Court is located in the Plaza Building, 5 North Gay Street, Mount Vernon, Ohio. Handicap parking and the elevator entrance are on the top level of the parking garage located under the building. The building is generally accessible to wheelchairs; however, the courtroom metal detector and the entrance to the Probation Department waiting room may be too narrow for some wheelchairs. Please contact the Clerk's Office at (740) 393-9510 prior to coming to Court, if you believe you will require assistance getting into these areas.

Judge John C. Thatcher

Mount Vernon Municipal Court, Mount Vernon, Ohio

FILED

In Re: Service Animal Policy

2019 AUG -8 PM 2:36
Journal Entry

The Court hereby adopts the following policy permitting service animals on the Third Floor of 5 North Gay Street, Mount Vernon, Ohio, commonly referred to as the Plaza Building” and in the elevator and stairwell accessing the Third Floor. The Court policy DOES NOT apply to the First or Second Floors of the Plaza Building.

(A) Definitions

(1) Handler. A person with a disability that a service animal assists or a personal care attendant who handles the animal for a person with a disability.

(2) Service animal

(a) Any dog 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 and meets the definition of "service animal" under the Americans with Disabilities Act ("ADA") regulations at 28 CFR 35.104. The work or tasks performed must be directly related to the individual's disability.

(b) Under particular circumstances set forth in the ADA regulations at 28 CFR 35.136(i), a miniature horse may qualify as a service animal.

(c) Examples of a service animal include, but are not limited to: assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship (e.g. assistance animals) do not constitute work or tasks for the purposes of this definition.

(B) Basic policy

(1) In compliance with applicable law, the Mount Vernon Municipal Court (hereafter “MVMC”) generally allows service animals on the Third Floor of the Plaza Building and the elevator and stairwell accessing the Third Floor when the animal is accompanied by an individual with a disability who indicates the service

animal is trained to provide, and does provide, a specific service to them that is directly related to their disability.

(2) MVMC may not permit service animals when the animal poses a substantial and direct threat to the health or safety of others or when the presence of the animal constitutes a fundamental alteration to the operation of the Court. The Judge will make those determinations on a case-by-case basis.

(C) MVMC's inquiries regarding service animals

(1) In general, MVMC employees will 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. MVMC employees may ask:

(a) If the animal is required because of a disability and;

(b) What work or task the animal has been trained to perform.

(2) MVMC employees cannot require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, MVMC employees may not make any inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

(D) Responsibilities of handlers

(1) Handlers are responsible for any damage or injuries caused by their animals and must take appropriate precautions to prevent property damage or injury.

(2) Service animal control requirements

(a) The animal should be on a leash when not providing a needed service to the individual with a disability.

(b) The animal should respond to voice or hand commands at all times, and be in full control of the handler.

(c) To the extent possible, the animal should be unobtrusive to other individuals and the operation of the Court.

(d) Identification. It is recommended that the animal wear some type of commonly recognized identification symbol, identifying the animal as a working animal, but not disclosing disability.

(3) Waste cleanup

Cleaning up after the animal is the sole responsibility of the handler. In the event that the handler is not physically able to clean up after the animal, it is then the responsibility of the handler to hire or be accompanied by someone capable of cleaning up after the animal. The person cleaning up after the animal should abide by the following guidelines:

- (a) Always carry equipment sufficient to clean up the animal's feces.
- (b) Remove all waste and litter from the Plaza Building and properly dispose of waste and litter in appropriate containers.
- (c) Any cost incurred by MVMC to clean up after an animal is the sole responsibility of the handler.

(E) Removal of service animals


Service animals may be prohibited from the Third Floor of the Plaza Building and in the elevator and stairwell accessing the Third Floor for the following reasons:

- (1) Out of Control animal: A handler may be directed to remove an animal that is out of control and the handler does not take effective action to control it. If the improper animal behavior happens repeatedly, the handler may be prohibited from bringing the animal into the Plaza Building until the handler can demonstrate that the handler has taken significant steps to mitigate the behavior.
- (2) Non-housebroken animal: A handler may be directed to remove an animal that is not housebroken.
- (3) Direct threat: A handler may be directed to remove an animal that MVMC determines to be a substantial and direct threat to the health and safety of individuals. This may occur as a result of a very ill animal or a substantial lack of cleanliness.
- (4) Where a service animal is properly removed pursuant to this policy, MVMC will work with the handler to determine reasonable alternative opportunities to access the Third Floor of the Plaza Building without having the service animal on the premises.

(F) Appeals and grievances

Any person dissatisfied by the decision of an MVMC employee concerning a service animal may appeal to the Judge or Acting Judge.

This policy is effective immediately. The Clerk of Court will publish this policy on the Court website under Helpful Links, Handicap Accessibility. Paper copies of the policy will be provided upon request at the Court Security Officers' Station and in the Clerk of Court's Office.



John C. Thatcher, Judge

cc. Court Security Officer
Bailiff
Clerk of Court
Adult Probation Dept.
Mount Vernon Police Dept.
Mount Vernon Law Director's Office
Mount Vernon Mayor