



ADA Action Guide

City of Lebanon

Service Animals – Miniature Horses

One of the most common, confusing, and contentious requests for reasonable modifications of policies, practices, or procedures concerns service animals.

Title II Regulations 28 § 35.136

Some people with disabilities use miniature horses rather than dogs because they live longer, have peripheral vision, and are permitted in religions where dogs are not acceptable. Public entities must allow miniature horses to accompany people with disabilities where “reasonable.” Four factors may be used to determine what is reasonable:

1. The miniature horse is housebroken.
2. The miniature horse is under the owner’s control.
3. The facility can accommodate the miniature horse’s type, size, and weight.
4. The miniature horse does not compromise legitimate, necessary safety requirements.

Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.

Service animals must be under the control of the handler and be harnessed or leashed, unless these devices interfere with the animal’s work or the person’s disability prevents using these devices. In that case, the person must maintain control of the animal through voice, signal, or other controls. Staff are not required to provide care or food for a service animal.

A public entity shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, a public entity 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 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).

[Title II Regulations 28 § 35.136](#)

Service animals Miniature horses:

(1) Reasonable modifications. A public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

(2) Assessment factors. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, a public entity shall consider— (i) The type, size, and weight of the miniature horse and whether the facility can accommodate these features; (ii) Whether the handler has sufficient control of the miniature horse; (iii) Whether the miniature horse is housebroken; and (iv) Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.