



Pets / Service Dogs

All pets must be kept on a leash when not in the Owner's residence. Owners must pick up all pet debris and dispose of it properly. Pet walking is prohibited on cart paths, the golf course, and inside pool areas. Pets are not permitted in The Clubhouse, The Lodge, Tiki Bar, cabana, golf and tennis Pro Shops, Activity Center, the 9 Heritage Palms operated pool areas, or on or around the tennis, pickle ball or bocce ball courts, golf course, practice tee, practice green, or playground.

The ability to keep a pet in Heritage Palms, is a privilege, not a right. In the opinion of the Board of Directors, if any pet becomes the source of annoyance, danger, threat of danger, or harm to others, or the Owner of the pet that fails to comply with the provisions of this paragraph and the Governing Documents and Rules, the Owner, upon written notice, is required to remove the pet from the Community. Pets may not be left unattended or leashed in yards or garages or on porches or lanais. No more than two pets are allowed per residence.

Pets of transfer members are **NOT** allowed except (i) in Single Family Homes with the express written permission of the Owner or (ii) in Villas with the express permission of the Owner and if not in violation of any applicable Neighborhood Covenant.

Service Dogs:

Service Dogs specifically trained to aid a person with a disability are allowed in any areas open to the public.

Emotional / Therapy / Comfort Dogs:

Emotional / therapy / comfort dogs are NOT the same as a Service Dog. The **ADA** does **NOT** recognize dogs who solely provide emotional, therapy or comfort support as a service dog.

Service Dog Guideline/Restrictions:

- Service dogs are not allowed on club chairs or furniture.
- The ADA gives a person with a disability the right to be accompanied by his or her Service Dog to eating areas, the dog must sit under the table but the dog is not allowed to be fed at the table.
- The service dog must be under the control of its handler with a harness, leash, or other tether.
- Service dogs are not permitted in the water of any of the 9 Heritage Palms controlled swimming pools.
- The Club may remove any service dog from the premises if the dog is out of control or the dog's handler does not take effective action to control it, the dog is not housebroken, or the dogs' behavior poses a direct threat to the health and safety of others.

Failure to comply with the above guidelines could lose their service dog status at Heritage Palm.

Service Dogs vs. Emotional Support Animals

SERVICE DOGS:

A service dog is a dog specifically trained to perform work for a person with a disability. The ADA considers service dogs to be primarily working animals that are not considered pets. Service Dogs would not be sitting on chairs, furniture of any kind and would not make noise, whine or bark (unless it was part of their training to alert their owner relative to the disability)

In addition to socialization and basic obedience training, a service dog must be trained to perform work or specific tasks to assist with a disability.

***** Under ADA rules, in situations where it is not obvious that a dog is a service animal, only two questions may be asked:**

1. Is the dog a service animal required because of a disability? Yes or No?

2. What work or task has the dog been trained to perform? Specific answer required

The reply to question (2) must affirm that the service dog has been trained to take specific action when needed to assist the person with a disability.

Traits of a Service Dog

Be calm, especially in unfamiliar settings

Be alert, but not reactive

Have a willingness to please

Be able to learn and retain information

Be capable of being socialized to many different situations and environments

Be reliable in performing repetitive tasks

A Guide Dog or Service dog automatically loses privileges or is removed as a guide dog if it barks, growls, is aggressive in any way. A Service Dog would never be sitting in a chair or be fed from a table. A service dog is not given water while it is working unless it would be an unusual circumstance.

Some service dogs may wear vests, special harnesses, collars or tags, the ADA does not require service dogs to wear vests or display identification. Conversely, many dogs that do wear ID vests or tags specifically are not actual service dogs.

For example, guide dogs help blind and visually impaired individuals navigate their environments. Hearing dogs help alert deaf and hard-of-hearing individuals to important sounds. Mobility dogs assist individuals who use wheelchairs or walking devices or who have

balance issues. Medical alert dogs might also signal the onset of a medical issue such as a seizure or low blood sugar, alert the user to the presence of allergens, and myriad other functions.

Federal laws provide special accommodations to the disabled and limit the questions that may be asked about disabilities. Unfortunately, too often these laws are abused by people who fraudulently misrepresent their dogs as service animals. This harms the truly disabled, confuses the public, and affects the reputation of legitimate service dog users. Even worse, a poorly-trained fake service animal can be a danger to the public and to real service dogs.

Florida Fake Service Dog Laws

Florida Statue 413.08(2015) states it is a misdemeanor for a person to misrepresent themselves as qualified to use a service animal. Violators will be required to perform 30 hours of community service.

The ADA's website states that the service animal registration documents sold online are not recognized as proof that the dog is a service animal, and they do not convey any rights under the ADA.

EMOTIONAL SUPPORT DOGS:

Emotional Support Animals (ESAs) are animals that provide comfort just by being with a person. But, because these dogs are not trained to perform a specific job or task for a person with a disability, they do not qualify as service dogs under the ADA.

ESAs are not allowed access to public facilities under the ADA. However, some state and local governments have enacted laws that allow owners to take ESAs into public places. ESAs are NOT eligible for special accommodation in air travel.

Courthouse dogs are another category of dogs that sometimes wear vests or display other ID, but are not service dogs. Several states have enacted measures that allow a child or vulnerable person to be accompanied by a courthouse, facility, or therapy dog during trial proceedings. The rules and requirements for use of these dogs vary by state, and additional states are considering enacting similar laws.

Courtroom dogs are not protected under the ADA and are not eligible for special housing accommodations or cabin access on commercial flights. "Facility Dogs" are a growing category of therapy dogs that may work in a specific institutional setting such as a school, courthouse, or healthcare facility.

FAKE SERVICE DOGS

The more people learn about the invaluable work of service dogs, the more they develop good intentions for condemning the fakes.

By definition, a service dog is trained to perform tasks that relate to its handler's disability, like alerting the handler to an upcoming seizure.

Listening to the common criticisms of fake service dogs, you'd think the problem is simple: Some dog owners are just inconsiderate. Maybe they don't know or just don't care that their actions could distract legitimate working dogs and hurt their reputation.

Some people also confuse laws for service dogs with those for emotional support animals (ESAs). ESAs are allowed in "no pets" housing and commercial airplanes, but not in places like restaurants and doctors' offices. And some people just want to bring their pets and ESAs to sites where only service dogs are allowed.

Example:

Victor Hurtado, a staff member for the secretary of the army, was waiting for a connecting flight in the San Francisco airport when he was suddenly attacked by an aggressive brown poodle. The dog, teeth bared, lunged in his direction, ready to bite.

A bloody outcome was only avoided because Hurtado's mobility dog, a black labrador named Holly, had been trained to avoid escalation when confronted with violent behavior.

Holly was paired with Hurtado nearly three years ago to assist him in living with a cognitive disability and trauma associated with his time in the army. She has undergone years of training to not only address his specific needs, but to behave appropriately and safely in public spaces.

Yet, despite the vast difference in the two dogs' behavior, they did have one characteristic in common: both wore service dog vests. **The incident left Holly shaken and unable to perform her life-saving duties even after boarding the airplane, momentarily leaving Hurtado without his disability assistance support - all because someone felt the need to pretend their pet dog was a service animal. "It breaks my heart, really," says Hurtado. "I feel like they think our animals are a joke."**