



SERVICE ANIMAL POLICY

Effective September 30, 2019

The New York State Olympic Regional Development Authority (ORDA) is a State public benefit corporation. Its venues and facilities are places of public accommodation and public facilities as those terms are defined under Federal and State law. As such, ORDA is subject to the requirements of both Title II of the Federal Americans with Disabilities Act (ADA), and the New York State Human Rights Law and Civil Rights Law, with respect to the accommodation of individuals with disabilities. In accordance with the requirements of Federal and State law, therefore, this policy articulates ORDA's practices and procedures for assuring access by individuals with disabilities who are accompanied by service animals, to all ORDA venues, programs, activities, services, and events that are open to members of the general public.

I. POLICY STATEMENT

It is the policy of ORDA to prohibit discrimination against individuals with disabilities, including individuals with disabilities who are accompanied by service animals. Accordingly, subject to certain limitations as set forth in this policy, any guest with a disability who is assisted by a service animal, and any trainer of a service animal whether or not accompanied by an individual with a disability, shall have access to all public areas and activities of ORDA that are open to the general public.

II. DEFINITIONS

- A. The term "handler" is defined as: the individual with a disability, as that term is defined under Federal and State law, who uses a service animal to perform work or a task directly related to that individual's disability; a personal care attendant who handles the animal for a person with a disability; or as the trainer of a Service Animal in Training.
- B. The term "service animal" is defined under the ADA and New York State law as any dog that has been individually trained to do work or to perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability.

1. Miniature horses have been added to the definition of the term “service animal” in the ADA regulations. Miniature horses used as service animals must meet the height limit set by the American Miniature Horse Association. Specifically, they may not exceed thirty-four inches at the withers (measured at the last mane hairs). Miniature horses can range in weight from 150 pounds or less to as much as 300 pounds. Consistent with the criteria in this policy, the size and weight of a miniature horse could affect whether it can be accommodated at an ORDA venue.
 2. Ponies and full-size horses do not qualify as service animals under the terms of this policy.
 3. The term “service animal” does not include emotional support animals, or animals that solely provide comfort, well-being or companionship, nor does it encompass any crime deterrent effect that may result from the animal’s presence.
- C. Service Animals in Training (“SATs”) are dogs that are being trained by a trainer identified as an agent or employee of an entity specialized in training dogs or to become service animals, whether or not accompanied by an individual with a disability.

III. PROCEDURE

ORDA staff shall follow the procedures in this policy for the admission of service animals or SATs to all ORDA venues, programs, services, activities, and events. Subject to the limitations, conditions, and criteria set forth in this policy, all venues, activities, programs, services, and events that are open to the general public are open to service animals that accompany an individual with a disability, and to SATs.

ORDA employees shall not require any medical documentation, or any proof of training, licensing, or certification from an individual with a disability who is accompanied by a service animal to an ORDA venue, program, service, activity, or event.

ORDA employees shall not require the payment of a surcharge for a service animal or SAT, even if people accompanied by pets are required to pay fees.

A. General Criteria And Conditions For The Admission Of Service Animals And SATs

1. The work or task of the service animal must be directly related to the individual’s disability.

For example: 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 non-violent protection or rescue work; assisting an individual during a seizure; retrieving items such as medicine or the telephone; providing physical support and assistance with balance and stability to individuals with mobility disabilities; helping persons with psychiatric and neurological disabilities by preventing impulsive or destructive behaviors.

2. ORDA employees may not ask about either the nature or the extent of a person's disability. Two inquiries are permissible by ORDA staff in ascertaining whether an animal accompanying an individual with a disability qualifies as a service animal within the meaning of this policy:
 - a. ORDA employees may ask whether the animal is required because of a disability; and
 - b. ORDA employees may ask what work or task the animal has been trained to perform (but may not ask that the animal demonstrate its ability to perform the work or task).

Except that, these inquiries are not permissible where the nature of the disability is readily apparent, such as a service dog pulling a wheelchair or guiding a person with a visual impairment.
3. The service animal or SAT must be housebroken.
4. The service animal or SAT must be under the control of its handler at all times while in or on property that is owned or under the management of ORDA.
 - a. Unless the handler is unable to do so, or the use of such device interferes with the safe, effective function of the animal's duties, all service animals or SATs shall have a harness, leash, bridle or other type of tether; or
 - b. Where the use of such physical controls would interfere with the safe, effective performance of the service animal's or SAT's work or task, the animal must be under the handler's control through other means (for example, voice commands or hand signals).
5. ORDA employees are not responsible for the care or supervision of a service animal or SAT.
6. ORDA employees may ask that a service animal or SAT be removed by its handler from an ORDA venue, activity, program, service, or event, if:
 - a. The animal is out of control and the handler does not take or is not able to take effective action to control it.

Except that, if the handler asserts that the animal was provoked or injured, or if ORDA staff otherwise have reason to suspect that provocation or injury has occurred, ORDA staff will seek to determine the facts and, if they determine that provocation or injury has occurred, ORDA staff will take steps to prevent further provocation or injury including asking the provocateur to leave the venue or facility if appropriate and necessary.

- b. The animal is not housebroken.

In the event of an incident of a service animal or SAT failing to control its bodily function due to illness or accident, the handler will be asked by ORDA staff to immediately and properly clean up and dispose of any bodily fluids or solid waste, whether inside or outside. At a minimum proper cleanup must include physical removal and proper disposal of any liquid and/or solid wastes, as well as any cleaning materials used.

- c. The service animal or SAT causes damage to an ORDA venue or poses a direct threat to the health or safety of others that cannot be reduced or eliminated by reasonable modifications.

The owner of a service animal or SAT is responsible for any costs that result from damages caused to an ORDA venue by a service animal or SAT, including but not limited to the cost of cleanup in the event of illness or accident as described in subsection (b) above. In the case of any incident involving injury while on property owned or managed by ORDA, to a person or another animal by a service animal or SAT, the handler shall make an immediate report to the local police department so that the incident can be properly documented and investigated.

- d. In the event that a service animal is excluded from an ORDA venue, program, activity, service, or event under the guidelines set forth in this policy, it is the policy of ORDA to provide the individual with a disability whose service animal has been excluded, with the opportunity to access the venue and/or participate in the service, program, activity, or event through reasonable accommodations, without the service animal present.

- i. The ORDA staff person who is responsible for admission to the ORDA venue, service, program, activity or event will contact the First Aid/Ski Patrol staff person assigned to the venue.

- ii. The First Aid/Ski Patrol may make a determination as to the accommodation that will be provided for an individual with a disability, in the absence of their service animal, or will contact the head of ORDA Human Resources to make that determination.

B. Procedures And Policy For The Admission Of Miniature Horses As Service Animals

1. It is the policy of ORDA to make reasonable modifications in its policies, practices, and 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 to perform tasks for the benefit of the individual with a disability.
2. In addition to the general criteria set forth in Section III. A. above, the following criteria will be considered in determining whether ORDA's venues, services, programs, activities and/or events may be reasonably modified to accommodate the admission of a miniature horse as a service animal:
 - a. The type, size, and weight of the miniature horse, and whether ORDA can accommodate these features without fundamentally altering the program, activity, service, or event at an ORDA venue;
 - b. Whether the handler has sufficient control of the miniature horse;
 - c. Whether the miniature horse's presence in a specific facility will compromise legitimate safety requirements necessary for safe operation of the venue, program, activity, service, or event.
3. If ORDA determines that it cannot accommodate the presence of a miniature horse in a venue, program, service, activity, or event, ORDA staff will follow the procedure described in section III (A) (d) above to provide the individual with a disability with accommodations to access the venue, program, service, activity, or event without the miniature horse present.

IV. VENUE AND SEASON-SPECIFIC PROCEDURES

The safety requirements described in this section are based on actual risks and are not intended to be discriminatory. In any situation in which a service animal cannot be accommodated at an ORDA venue, or in a specific activity, program, service, or event, in accordance with the procedure described in section III (A) (d) above, ORDA will provide the individual with a disability with the opportunity to access the venue and/or participate in the activity, program, service, or event, without the service animal present.

1. Winter Policy For Service Animals And SATs

The use of service dogs and SATs on the Belleayre Mountain Gondola, Gore Mountain Gondola, Whiteface Mountain Gondola, and the Olympic Jump Complex Gondola is permitted.

Due to safety considerations and the lack of specialized evacuation equipment in the event of an emergency, the use of miniature horses on ORDA gondolas is prohibited.

ORDA prohibits the use of service animals and SATS on all other lifts. The use of service animals on open ski lifts and on-slope ski terrain directly conflicts with ORDA's safety requirements, and impedes the reasonably safe operation of ORDA's on-slope activities. These safety concerns include the potential for conflicts between service animals and skiers and riders, and are compounded by the large volume of slope and trail use.

2. Summer Policy For Service And SATs

Service animals and SATs are allowed on the trails at ORDA venues that are designated for hiking, as well as on open roadways. Handlers must obey all permanent or temporary closures of terrain, trails, roads, and any other directives regarding closed or restricted areas within the boundaries of the ORDA venue they are visiting.

The use of service dogs and SATs on the Belleayre Mountain Gondola, Gore Mountain Gondola, Whiteface Mountain Gondola, and the Olympic Jump Complex Gondola is permitted.

Due to safety considerations and the lack of specialized evacuation equipment in the event of an emergency, the use of miniature horses on ORDA gondolas is prohibited.

Due to safety considerations, and to avoid conflicts between the reasonably safe operation of on-slope activities and service animals, ORDA prohibits the use of service animals and SATs on open ski lifts and on mountain biking trails.

V. GONDOLA EVACUATION POLICY AND PROCEDURE

1. In the event of a mechanical or other problem with the gondola at any ORDA Venue, an aerial evacuation of a service dog or SAT and its handler may be required.
2. For the safety of the rescuers: rescuers will start the evacuation of a service dog or SAT from outside of the gondola cabin.
3. The handler or his or her companion, if the handler is accompanied by a companion, will be asked to place the service dog or SAT in a muzzle provided by the rescuer.

4. After confirming that the service animal or SAT is properly secured with a muzzle, the rescuer will enter the cabin. With assistance from the handler (or his or her companion if there is one), the handler will keep the service dog under control and calm while the rescuer places the dog in an evacuation harness and attaches the rescue line. The handler should provide the rescuer with a leash, tether, or other means of assuring control of the service dog or SAT once it is on the ground.
5. The service dog or SAT will be lowered first from the cabin, ahead of the handler.
6. After the service dog or SAT is safely on the ground, rescuers will then facilitate the evacuation of the handler and any companion(s).
7. Service Animal or SAT Equipment: one adjustable rescue harness, five muzzles ranging from extra-small to extra-large.
8. Equipment will be stored in the Base First Aid Facility.