

**Montgomery County**  
**Board of Commissioners**  
**Ordinance 2016 – 25**

**Ordinance Prohibiting Pets in the Montgomery County Courthouse**

**Whereas**, the Montgomery County Sheriff’s Department, County Commissioners, County Council members, Judges, and other various County officials have sought to increase the security and safety of the Montgomery County Courthouse and the employees of the County; and

**Whereas**, from time to time, individuals seek to bring a pet with them into the Courthouse; and

**Whereas**, the presence of a pet may cause risk to the safety and health of Montgomery County employees and other individuals in the Courthouse; and

**Whereas**, the Board of Commissioner finds that it is in the best interest of Montgomery County and its citizens to prohibit all pets from entering the Courthouse and that the Montgomery County Code of Ordinance shall be amended to add a new section, section 36.26, entitled “Prohibition on Animals in the Montgomery County Courthouse.”

**Therefore, it is ordained** that a new section, section 36.26, shall be added to the Montgomery County Code of Ordinance. This new section will read as follows:

**“§36.26            PROHIBITION ON ANIMALS IN THE MONTGOMERY COUNTY  
                         COURTHOUSE**

**(A) Prohibited Animals.** No individual may bring an animal, domesticated or otherwise, into the Montgomery County Courthouse for any purpose. Prohibited animals include “Comfort Animals/Dogs” and “Other Emotional Support Animals” as defined by the Americans with Disability Act of 1990 (“ADA”).

**(B) Exceptions.**

**(1) Service Dogs.**

**(i)** An individual may enter the Montgomery County Courthouse with a “Service Dog” which is 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, as defined by the ADA.

(ii) Service dogs must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work, or the individual's disability prevents using these devices. If these device do interfere, the individual must exercise control of the service dog by either voice, signal, or other effective controls.

(iii) In the event a service dog becomes out of control, and the individual fails to take effective action to bring the dog under control, or if the service dog is not housebroken, employees of Montgomery County are permitted to ask for the service dog to be removed from the Courthouse. If a service dog is removed, Montgomery County employees shall offer the person the opportunity to continue his/her business in the Courthouse and provide other reasonable accommodations to that individual.

## (2) Miniature Horses.

(i) An individual may enter the Montgomery County Courthouse with a miniature horse which is 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, as defined by the ADA. A miniature horse does not typically exceed 34 inches in height and does not typically weigh more than 100 pounds.

(ii) Montgomery County may determine that a miniature horse cannot be accommodated by the Courthouse based the following factors:

- (a) Whether the miniature horse is housebroken;
- (b) Whether the miniature horse is under the owner's control;
- (c) Whether the facility can accommodate the miniature horse's type, size, and weight; and
- (d) Whether the miniature horse's presence will compromise legitimate safety requirements necessary for safe operation of the Courthouse.

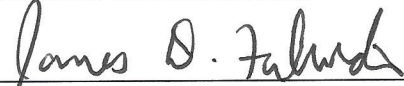
(iii) In the event a Montgomery County employee determines that the Courthouse cannot accommodate a miniature horse based on the above factors, Montgomery County employees shall offer the person the opportunity to continue his/her business in the Courthouse and provide other reasonable accommodations to that individual."

**It is further ordained** that the Montgomery County ADA Coordinator shall ensure that all employees are trained on this policy.

**It is further ordained** that this ordinance shall become effective upon adoption.  
**It is further ordained** that any provision of the Montgomery County Code of Ordinances which is not expressly amended by this ordinance shall remain in full force and effect.

Adopted this 12 day of September, 2016.


Montgomery County  
Board of Commissioners

  
\_\_\_\_\_  
James D. Fulwider, President

  
\_\_\_\_\_  
Phil Bane, Vice-President

  
\_\_\_\_\_  
Terry Hockersmith, Member

Attest:

  
\_\_\_\_\_  
Jennifer Andel, Auditor