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DATE: September 1, 2016

**TO: Swimming Pool & Spa Facilities
Local Inspection Agencies**

FROM: Mindy Uhle, Bureau of Environmental Health Services

RE: Service Animals in Iowa Swimming Pools and Spas

Iowa's swimming pool and spa rule provisions in 641-IAC Chapter 15 do not address service animals. Service animals are defined in the Americans with Disabilities Act (ADA). Under the ADA, businesses that serve the public are prohibited from discriminating against individuals with disabilities. The ADA requires these businesses to allow people with disabilities to bring their service animals onto business premises in areas where customers are generally allowed. In 2011, the definition of service animal was updated to include only service dogs and miniature horses. For more information on the ADA provisions, refer to https://www.ada.gov/regs2010/service_animal_qa.html.

The IDPH Swimming Pool & Spa program has received inquiries from both facilities and local inspection agencies about the applicability of the service animal provisions of the ADA to swimming pools and spas in Iowa. Facilities cannot prohibit service animals from general public areas, such as locker rooms, concession areas, and the pool deck. However, facilities and municipalities *can* establish policies to prohibit service animals from entering the pool water due to public health-related reasons. Having a policy in place which states that animals are not allowed in the swimming pool for public health reasons serves as protection in the event that a complaint should be filed.

For more information on ADA provisions, please contact Jill Fulitano Avery, Iowa Department of Human Rights, 515-242-6334 or Jill.avery@iowa.gov.