



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON ITALY
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IMIT-ZA

MEMORANDUM FOR USAG ITALY PERSONNEL

SUBJECT: U.S. Army Garrison (USAG) Italy, Domestic Animals on Army Installations, Military Family Housing, and Military Healthcare Settings Policy

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1. References:

- a. Department of Army Policy – Domestic Animals on Army Installations, 16 August 2018
 - b. Americans with Disabilities Act of 1990 (42 U.S.C. §12131-12134)
 - c. Section 504 of the Rehabilitation Act of 1973, as amended
 - d. Department of Defense Directive 1300.27 (Guidance on the Use of Service Dogs by Service Members), 7 January 2016
 - e. Army Directive 2013-01 (Guidance on the Acquisition and Use of Service Dogs by Soldiers), 28 January 2013
 - f. Army Regulation 600-7, Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of the Army, 15 November 1983
 - g. Army Regulation 690-12, Equal Employment Opportunity and Diversity, 22 December 2016
 - h. Army Regulation 600-20, Army Command Policy, 6 November 2014
 - i. Army Regulation 215-1, Military Morale, Welfare, and Recreation Programs and Non-appropriated Fund Instrumentalities, 24 September 2010
 - j. Army Regulation 40-58, Warrior Care and Transition Program, 23 March 2015
 - k. Army Regulation 40-905, Veterinary Health Services
 - l. American Veterinary Society of Animal Behavior, Position Statement on Breed-Specific Legislation, 2014
 - m. Technical Bulletin MED 4, DoD Human-Animal Bond Program Principles and Guidelines, 3 August 2015
 - n. Pet Policy for Privatized Housing under the Army's Residential Communities Initiative (RCI) Privatization Program, 5 January 2009
 - o. Fair Housing Act (FHA) of 1968 (42 U.S.C. §3601-3631)
 - p. Army in Europe Supplement 1 to AR 420-1, Append DD, Pets in Government-Controlled Housing, 20 November 2008
2. Purpose: To provide policy for domestic animals on Army installations, Military Family Housing (MFH), Army-owned lodging, and military healthcare settings.

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3. Applicability: This policy applies to all Army installations in Italy and all types of Army housing and lodging, including Army owned, privatized, and leased. This policy applies only to privately owned animals, specifically those pets owned by Service Members, Government Employees, Contractors, including all Family Members and all visitors. This policy is not intended to address control of Department of Defense (DoD)-owned animals, e.g. Military Workings Dogs, Government-owned (non-Department of Defense) animals, or Non-Appropriated Fund-owned animals (NAF-owned animals) such as horses on Army installations. This policy applies to U.S. Government operated workplaces and work areas. This policy does not apply to Host Nation solely operated facilities or work areas.

4. Policy:

a. General – Installation Access

1) U.S. Service Members (SMs), residents, employees, contractors, or visitors may not bring on any U.S. Army operated installation, any dog of a breed (including a mixed breed) that is deemed aggressive/dangerous or potentially aggressive/dangerous. For purposes of this policy, aggressive/dangerous or potentially aggressive/dangerous breeds of dogs are defined as Pit Bulls (American Staffordshire Bull Terriers or English Staffordshire Bull Terriers), Rottweilers, Doberman Pinschers, Chows, and wolf hybrids. This prohibition also extends to other dogs that demonstrate a propensity for dominant or aggressive/dangerous behavior as indicated by any of the following types of conduct:

- a) Unprovoked barking, growling, or snarling when people are present.
- b) Aggressively running along fence lines when people are present.
- c) Biting or scratching people, or attacking other pets.
- d) Escaping confinement or restriction to chase people or vehicles.

2) It is unauthorized to bring any exotic, wild, or farm species onto USAG Italy for other than official purposes. Examples of exotic, wild and farm species include but are not limited to the following: exotic animals, fish and reptiles such as alligators, electric eels, monkeys, piranhas, pufferfish, sharks, and snakes; wild animals and birds such as ferrets, foxes, hedgehogs, raccoons, rats, skunks, squirrels, owls, ostriches, and falcons; and farm animals and fowl such as pot-bellied pigs, goats, sheep, chickens, and geese. Prior written approval from the Garrison Commander is required to bring exotic, wild, or farm species onto the installation for official purposes.

3) The installation access restrictions in paragraphs 4.a.(1) and 4.a.(2) do not apply to service animals. Department of Justice guidelines implementing the service dog provisions of the Americans with Disabilities Act expressly prohibits exclusion of a service dog "based on assumptions or stereotypes about the animal's breed or how the animal might behave." However, if a particular service animal behaves in a way, as stated in 4.a.(1)(a-d), the animal may be barred from the installation at the direction of the Garrison Commander.

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4) Domestic animals are not authorized in U.S. Army operated workplaces for extended periods of time without an exception to policy (ETP) approved by the Garrison Commander.

5) Domestic animals are prohibited in Food, Beverage and Entertainment (FB&E) program facilities (e.g. bowling alley, theaters, commissary, post exchange, food court, etc.).

6) Domestic animals are prohibited in customer service or customer waiting areas (e.g. vehicle inspection waiting area, central processing facility, passport office, post office, etc.)

b. Exceptions for domestic animals other than aggressive breed as defined in paragraph 4.a.(1):

1) Service animals as defined in AR 690-12.

2) Therapy assistance animals prescribed by a medical authority.

3) Military working dogs (MWDs).

4) Facilities/areas designated for pets such as designated lodging rooms, dog parks and veterinarian.

6) Community/public outdoor recreation areas whereas master/owner has constant, complete control of animal.

7) Activities and events designated for pet participation.

8) School classrooms for educational purposes where the domestic animal has been approved by administration with consultation from veterinary staff.

9) Situations not covered elsewhere in this policy with Garrison Commander approval.

c. Exception for aggressive breed. If a Service Member, Family Member, Civilian, or contractor has authorization to bring onto an installation (for example to receive veterinary services) a dog that fits the above description in paragraph 4.a.(1) of an aggressive/dangerous or potentially aggressive/ dangerous dog, the dog must be muzzled at all times while on the installation.

d. Reasonable accommodation for service animals and assistance animals for persons with disabilities:

1) Request Process with respect to employment, the Department of the Army will treat requests for use of service animals and assistance animals, in accordance with the Army's procedures in AR 690-12, "Equal Employment Opportunity and Diversity, Appendix C (Reasonable Accommodation)" and AR 600-7, "Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of the Army."

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2) Access and Inquiries regarding Service Animals. Under Titles II and III of the ADA, businesses and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. In a hospital environment, it would be inappropriate to exclude a service animal from areas such as patient rooms, clinics, cafeterias or examination rooms. However, it may be appropriate to exclude a service animal from operating rooms or burn units where the animal's presence may compromise a sterile environment.

a) Service animals must be under control. Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents the use of these devices. Handlers must control the animal through voice, signal or other effective controls. Handlers are responsible for caring for and supervising their service animal or assistance animal, to include toileting, feeding, grooming and veterinary care. A handler may be asked to remove a service animal or assistance animal from the premises if the animal is out of control and the animal's handler does not take effective action to control it or if the animal is not housebroken, meaning, trained so that, absent illness or accident, the animal controls its waste elimination. Other staff members are not to be required to provide care or food for a service animal. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to access the premises and/or obtain goods or services without the animal's presence.

b) Inquiries, exclusions, charges and other specific rules related to service animals. When it is not obvious what service an animal is providing, only limited inquiries are allowed: is the dog or service animal required because of a disability and what work or task has the dog been trained to perform. Staff cannot ask about the nature of the person's disability, require medical documentation, require a special identification care or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

c) Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

d) Establishments that sell or prepare food such as cafeterias, dining and mess halls must allow service animals in public areas even if state or local health codes otherwise prohibit animals on the premises. People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a business requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals. If a business such as a hotel normally charges guests for damage they cause, a customer with a disability may also be charged for damage caused by them or their service animal.

e. Military Family Housing (MFH):

1) The intent of this domestic animal policy is for residents responsible for maintaining and controlling their pets in Military Family Housing (MFH) and Army-owned Lodging. Pets

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allowed in MFH and Army Lodging will only reside in designated pet-friendly dwellings. The privilege to have an animal is granted to residents based on their ability to meet responsibilities. This privilege may be withdrawn if either of the following is true:

- a) The pet is a threat to the health or safety of personnel or becomes a nuisance.
- b) The pet owner fails to meet his or her responsibilities.

2) MFH Restrictions and Responsibilities:

a) No more than two dogs or cats, or combination thereof, are authorized per dwelling unit housing. Other domestic animals (including birds, goldfish, and hamsters) may be kept in MFH. Exotic animals (for example, snakes) are prohibited.

b) Owners must register their cat or dog with the post veterinary clinic within 2 weeks after acquiring the pet or the arrival of the pet at their permanent station. The owner must present evidence of the pet's current vaccinations at the time of registration, maintain a vaccination record, and update required vaccinations as necessary. Vaccinated animals will receive rabies tags that must be worn by the animal at all times.

c) Sponsor and their spouses will ensure that pets are controlled so they do not become a public nuisance or menace. Animals that habitually bite, scratch, attack, or otherwise threaten people without provocation are a community health menace and will not be allowed in Government controlled housing or facilities. A severe incident (for example, an animal attacking an individual) is cause for removal of the offending animal, regardless of the absence of prior incidents.

d) Pet owners residing in MFH are subject to host nation (HN) laws governing the treatment of pets. HN law and Army in Europe policy prohibit inhumane and abusive treatment of animals. Inhumane and abusive treatment is defined as any act or omission whereby an animal's physical or psychological wellbeing is compromised unnecessarily. Punishment for violation of HN law may be in the form of fines or removal of the pet from the owner's possession. In cases where owners are negligent in pet care or supervision, immediate action will be taken to have the pet removed from the area.

e) HN laws typically impose liability on the animal's owner or keeper for damages to public or private property and personal injury. Liability insurance for pets is recommended.

f) Breeding pets and the construction and maintenance of kennel-type operations are prohibited in Government controlled housing.

g) When outside the owner's quarters, animals must be kept on a leash and accompanied by an individual capable of controlling the pet. Young children under the age of 12 without adult supervision are considered incapable of controlling pets.

h) Dogs and cats must not be allowed to relieve themselves on balconies, playgrounds, or within 50 feet of Family housing buildings. Pet owners will: clean up excrement

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from their pets. Building Coordinators may designate pet-walk areas that building residents who are pet owners will be responsible for maintaining.

i) Pets must not be:

- (1) Allowed on balconies unattended.
- (2) Housed or locked in basements or storerooms.
- (3) Kept in fenced playgrounds where children may congregate.
- (4) Left tied or chained unattended.

j) Complaints of improper control of pets must be reported to the military police (MP). MP officials will investigate complaints and, when appropriate, send an MP report to the Garrison Commander for action.

k) A sanitation inspection (health and welfare) may be conducted on any housing unit alleged by written complaint to be substandard in cleanliness, smell, or where a pet has apparently been abandoned. Entry into the quarters must be in the presence of the sponsor or an adult family member unless immediate entry is required to preserve the life of the animal or prevent damage to the housing unit.

l) Owners who abandon their pets are subject to action under the Uniform Code of Military Justice (UMCJ) or HN law and are responsible for all costs incurred by the Government on the transfer, care, custody, and final disposition of the animal. Before pet owners leave for an extended absence (for example, temporary duty, deployment, leave), they must make arrangements for the care of their pets.

m) Pet owners will comply with local laws regarding "fighting dogs." These animals are prohibited and are not authorized in Government-controlled housing. Pet owner on military orders to USAG Italy will not ship any breed(s) of fighting animal(s).

n) Pets will not be left unattended in quarters for more than 10 hours. During this time, pet owners will ensure that a neighbor or friend is checking on the dog to ensure he has adequate food, water and walks so the dog can relieve himself.

o) Dogs that suffer from separation anxiety have a tendency to constantly bark. The owner has responsibility to ensure their pets are trained not to bark, growl or howl excessively. Contact the veterinary or professional dog trainer for training recommendations.

3) Revocation of Pet Privileges Policy:

a) Repeated violations of any policies will result in revocation of privileges for pet ownership. Ignorance to the MFH pet policies is not an excuse. Noncompliance or negligence to any guidance is not grounds to authorize allowances or relocation.

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b) Normally, a “Three Strikes You’re Out” policy is in effect. A SM who violates MFH policy may receive up to two warning letters. When a SM receives a warning letter, a notification letter to the SM’s Chain of Command may be warranted. The third letter will be the revocation of pet privileges letter, which encompasses all pets under the SM’s care. Ownership of an aggressive pet cannot be transferred to another SM, Government Employee, or Contractor, to include their Family Members.

c) An aggressive pet deemed or proven to cause bodily harm to a person or animal will result in immediate revocation of pet privileges. No warnings will be issued to the SM.

4) Unaccompanied Housing (UH). UH residents are prohibited from keeping animals in their building to include emotional support animals. A UH resident is authorized to keep a service dog. This UH policy covers Army-owned and Army-leased buildings.

f. Military Healthcare Settings and Medical Treatment Facilities (MTFs):

1) MTF staff will notify veterinary services of all ongoing or proposed human animal bond programs.

2) Develop policies to facilitate access for individuals with service dogs. Ensure copies are available for all to review upon request. Policies must be updated in accordance with and cannot contradict this policy; additional requirements for access of animals to the MTF will not be added. Policies will:

a) Ensure staff utilizes the flow sheet in enclosure 1 of MEDCOM Policy Memo 17-040 to determine access in situations where it is not obvious a dog is a service animal.

b) Establish standards for service dog access, ensuring a service dog can accompany the handler or alternate handler to areas that the general public is permitted access, subject to the same rules as the general public, and where the presence of a service dog would not compromise patient care, patient safety, or infection prevention and control standards (e.g., operating rooms and isolation rooms).

c) MTF staff, with assistance from Veterinary staff, may remove a service dog from the MTF based on the animal's behavior, health, or safety concerns. MTF and Veterinary staff, will assess, based on objective indications, to determine if an animal poses a health or safety risk. Examples of such indications include aggressive behavior, running in the facility, excessive barking, jumping on individuals/furniture, inappropriately eliminating waste in the facility, and signs of disease or poor health.

d) Establish procedures for the visitation of service dogs in training.

e) Utilize TB MED 4 to develop policy for the use of Therapy Animals (AAT) and Activity Animals (AAA) programs within the MTF.

3) Handlers will:

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a) Abide by all policies and guidelines implemented by installation and MTF Commanders.

b) Maintain responsibility and liability for any damages or injuries caused by their animals unless said handler is acting within the scope of a MEDCOM program (such as an MTF Occupational Therapy program) or is a MEDCOM-owned animal. Under certain circumstances, set forth in a "Memorandum of Understanding (MOU) between the Department of Justice and the Department of Defense: Status of Certain American Red Cross Volunteers," Red Cross Volunteers may be exempt from liability for claims arising from their use of AAA animals in military MTFs and other facilities.

c) Handlers must notify appointment clerk that they will be accompanied by approved Service Animal during the appointment.

g. Veterinary Health Services:

- 1) Customers seeking veterinary services will access the vet clinic using the dedicated animal entrance located at the back of the clinic, building 2310, on Caserma Ederle.
- 2) Veterinary customers with pets will not enter the clinic using the front main entrance.
- 3) Veterinary customers will maintain control of animals using a cage or harness/collar and leash.
- 4) Veterinary customers will clean up and properly dispose of animal waste. Failure to properly dispose of waste may constitute banishment from using on-post animal services.

5. Definitions:

a. Domestic Animal: For the purposes of this policy, a domestic animal is a pet such as dogs, cats, or other tame animals or birds and which serve some purpose for its owner.

b. Aggressive/dangerous or potentially aggressive/dangerous breeds of dogs: Pit Bulls (American Staffordshire Bull Terriers or English Staffordshire Bull Terriers), Rottweilers, Doberman Pinschers, Chows, and wolf hybrids.

c. Service Animal: Operationally, the label of service animal or service dog has significant implications. The label, and therefore corresponding privilege, only applies to those animals that conform to the standards and requirements delineated in Army Directive 2013-01 or TB MED 4 (e.g., guide dogs that assist individuals with visual impairment). These animals remain in possession of the handler. As of 15 March 2011, only dogs are recognized as service animals under Titles II and III of the Americans with Disabilities Act (ADA). Specifically, service animals are defined as dogs that are individually trained to do work or perform tasks for persons with disabilities (including physical, sensory, psychiatric, intellectual, or other mental disabilities). Examples of such work or tasks include guiding people who are blind, alerting people who are

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deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder during an anxiety attack, or performing other duties. The work or task a service dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

d. Therapy Animals: Animals utilized in AAT (e.g., a horse used in equine therapy as part of a treatment process designed by an Occupational Therapist to improve balance). These animals remain within the control of their handler (e.g. therapists, providers, or third-party owners).

e. Activity Animals: Animals utilized in AAA (e.g., a puppy brought by a Red Cross Volunteer to brighten the lives of children on a Pediatric Oncology ward). These animals remain within the control of their handler (e.g., therapists, providers, or third-party owners).

f. Skilled companion animals and emotional support animals (ESA): These animals provide comfort and emotional support to their owners. Such animals are not service dogs and therefore do not receive access or privileges granted to service dogs, therapy animals, or activity animals.

g. Assistance Animal: The term "assistance animal" refers to an animal that provides assistance or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of an individual's disability. Assistance animals may provide emotional support, comfort, well-being, or companionship. Other animals besides dogs can be assistance animals.

h. Handler: Handlers are qualified persons for whom a military working dog or service dog does work or performs tasks, or persons with primary responsibility and control of an animal utilized in an AAA or AAT program.

i. Reasonable Accommodation: A reasonable accommodation is any change in the work environment or the way things are customarily done that would enable an individual with a disability to enjoy equal employment opportunities.

j. Discrimination: Civil Rights laws and implementing regulations applicable to persons with disabilities define discrimination as the failure to provide opportunities to persons with disabilities that are equal to and as effective and meaningful as those opportunities provided to others. It is also defined as the failure to make reasonable accommodations or reasonable modifications to policies, practices and procedures unless doing so creates an undue hardship/undue burden, fundamental alteration to the program, or direct threat to the health and safety of the employee or others with respect to the provision of goods and services.

k. Military Working Dog (WMD): Specially trained dogs used for security protection and law enforcement purposes.

6. POCs for this memorandum are the USAG Italy Command Group at DSN 637-8005, Garrison Safety Office at DSN 637-8900, Equal Employment Opportunity at DSN 637-7200, and Directorate of Public Works, Housing Division, DSN 637-7950. POCs for VMC Health Clinic at

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DSN 636-9100, Public Health Activity – Italy at DSN 636-9400 and Veterinary Health Services at DSN 637-9160.

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