

**ENCORE OF MCLEAN, A CONDOMINIUM  
UNIT OWNERS ASSOCIATION**

**POLICY RESOLUTION NO. 97-1**

**AMENDED PET POLICIES**

**Rules and Regulations Regarding Pets**

WHEREAS, Section 3.1 of the Bylaws assigns the Board of Directors all of the powers and duties necessary for the administration of the affairs of the Unit Owners Association and further states that the Board may do all such acts and things as are not by the Condominium Act, the Declaration or by the Bylaws required to be exercised and done by the Unit Owners Association; and

WHEREAS, Section 3.1(f) of the Bylaws enables the Board of Directors to adopt and amend Rules and Regulations governing the Units and Common Elements provided that such rules are not in conflict with the Act or the Condominium instruments; and

WHEREAS, Section 5.8(a)(8) of the Bylaws contains certain rules, restrictions and enforcement procedures regarding pets; and

WHEREAS, for the health, safety, welfare, comfort, and convenience of all residents, the Board deems it necessary and desirable to establish regulations to carry out the provisions in the Bylaws regarding pets.

NOW, THEREFORE, BE IT RESOLVED THAT the following pet policies be adopted by the Board:

**I. GENERAL PET GUIDELINES**

A. A Unit Owner may, subject to the rules and regulations in this Resolution, as amended from time to time, have the following type of pets: dogs, cats, caged domestic birds, hamsters, gerbils, guinea pigs, aquarium fish, domesticated rabbits, rats and mice, and creatures normally maintained in a terrarium or aquarium. All other animals including guest pets of any type are prohibited. Any animal bred, raised or trained for attack or guard purposes is prohibited.

B. The Unit Owner shall not keep more than one small (not to exceed 30 pounds weight at maturity) pet per unit. The Unit Owner generally need not obtain the prior consent of the

Board to keep one pet within that owner's unit, provided, however, that the pet does not create a nuisance and the pet is properly registered with the Association.

C. Owners shall register their pets with the Association office and provide proof of license and/or vaccination as required by Fairfax County. The purpose of the pet registration is to facilitate:

1. Notification of owners in case of injury to the pet;
2. Identification of pets causing problems or creating a health emergency; and
3. Identification of stray pets.

There shall be a \$50.00 initial registration fee for each animal other than fish and caged birds. In addition to the registration fee there will also be an annual maintenance fee of \$50 for each dog.

## **II. REQUIREMENTS AND RESTRICTIONS**

A. Owners may curb pets only in the areas defined as "Pet Area," which are within the wooded Common Element South of the entrance drive and east of the visitors' parking lot and in the wooded area to the left upon exiting the side door near the freight elevator. In accordance with Fairfax County Ordinance, pet owners are responsible for the immediate removal and proper disposal of animal waste on all portions of the property.

B. Pets must be carried or leashed when on the Common Elements. No leash may extend beyond six feet in length. Pets must be transported through the building via the freight elevator and garage or side door. The passenger elevators may not be used unless the freight elevator is being used for a move in progress or out of service.

C. Pets may not be leashed to stationary objects on the Common Elements.

D. Except for seeing-eye dogs or other recognized assistance pets, pets shall not be permitted in the storage rooms, meeting rooms or other such common areas.

E. Pet owners are responsible and liable for any property damage, injury, or disturbances the pet may cause or inflict.

F. Commercial breeding of pets is prohibited within the Condominium.

G. All pets must display tags, as required by Fairfax County.

H. Every female pet, while in heat, shall be kept confined in the Unit by its owner in such a manner that she will not be in contact with another pet nor create a nuisance by attracting other animals.

I. Pets shall not be left unattended outside the Unit.

J. Residents shall not be cruel to any pet.

K. Residents shall not feed pets other than their own, unless permission has been obtained from the owner. Guests scheduled to feed pets for absent owners must be registered at the front desk by a signed admit slip.

### III. NUISANCES

The following shall be grounds for complaint and finding of a community nuisance.

A. Pets running at large;

B. Pets damaging, soiling, defecating on or defiling any private property or the Limited or Common Elements;

C. Pets causing unsanitary, dangerous, or offensive conditions;

D. Pets making or causing noises of sufficient volume to disturb any resident;

E. Pets attacking or otherwise interfering with the freedom of movement of persons on the Common Elements, chasing vehicles, attacking other pets, or creating a disturbance in any other way;

F. Failing to confine any female animal in heat to prevent the attraction of other animals;

G. Using a vehicle as a kennel or cage; and

H. Any unregistered pet.

**IV. PROCEDURES FOR SOLVING PET PROBLEMS**

- A. Any resident with a pet-related problem should do the following:
  - 1. Attempt to arrive at an informal solution to the problem with the pet owner either by contacting the pet owner personally or requesting that the General Manager contact the pet owner.
  - 2. If informal attempts at a solution fail, then a written complaint should be filed with the Association office.
- B. Stray pets should be reported to the Association office for possible identification prior to contacting animal control authorities.
- C. All bites or attacks by pets should be reported to the Association office immediately.
- D. In case of an accident involving a pet, the person involved should render or seek assistance to the pet and notify the pet owner as soon as possible.
- E. Penalties for violation of applicable local ordinances may be enforced by the local authorities without regard to any remedies pursued by the Association.
- F. In the event of emergency, the parties involved may take any action deem prudent to resolve the emergency without regard to the above procedures. A written report of such emergency situation and the steps taken to resolve it should be made to the Association office.

Resolution Number: Policy 97-1

Pertaining to: Pets

Duly adopted at a meeting of the Board of Directors held on 8/23/12.

Motioned by: Bedell seconded by: Montanino

	<u>Yes</u>	<u>No</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<u>Muse</u> President Muse	✓	_____	_____	_____
<u>Brough</u> Vice President Brough	✓	_____	_____	_____
<u>Bedell</u> Secretary Bedell	✓	_____	_____	_____
<u>Montanino</u> Treasurer Montanino	✓	_____	_____	_____
_____ Director Dunbar	_____	_____	_____	✓
<u>Fischer</u> Director Fischer	✓	_____	_____	_____
_____ Director _____	_____	_____	_____	_____

File:

Book of Minutes

Book of Resolutions

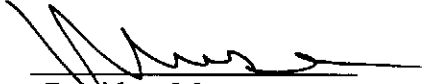
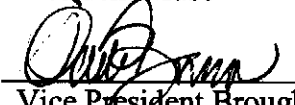
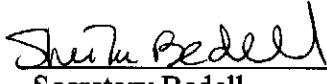
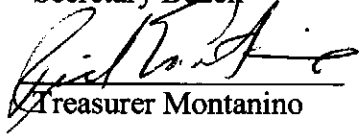
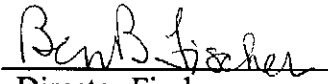
Resolution effective: 8/23/12

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Pertaining to: Pets

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Motioned by: Bedell seconded by: Montanino

	<u>Yes</u>	<u>No</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
 President Muse	<u>x</u>	<u>      </u>	<u>      </u>	<u>      </u>
 Vice President Brough	<u>x</u>	<u>      </u>	<u>      </u>	<u>      </u>
 Secretary Bedell	<u>x</u>	<u>      </u>	<u>      </u>	<u>      </u>
 Treasurer Montanino	<u>x</u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u> Director Dunbar	<u>      </u>	<u>      </u>	<u>      </u>	<u>  x  </u>
 Director Fischer	<u><del>x</del></u>	<u>      </u>	<u>      </u>	<u>      </u>
<u>      </u> Director	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

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Resolution effective: August 23, 2012.