

Policy Resolution #7- Pet Policy Resolution Worksheet

Date: August 21, 2019

Suggested Motion:

"I move to approve the amended Policy Resolution #7 Pet Policy."

2nd:

Summary: Attached is the amended Policy Resolution #7 Pet Policy.

Vote:

	In Favor	Opposed	Abstained	Absent
Scott Buchanan				
Dan Courtney				
Susan Cox				
Maria Wildes				
James Konkel				
Rich Moha				
Kathy Schramek				
Nicholas Soto				
Robin Woods				

PARKFAIRFAX CONDOMINIUM UNIT OWNERS ASSOCIATION
POLICY RESOLUTION NUMBER SEVEN
PET POLICY

WHEREAS, the Board of Directors: 1) has the authority to make and amend rules and regulations to supplement, enhance and clarify any of the recorded restrictions; and 2) has all of the powers and duties necessary for the administration of the affairs of the Unit Owners Association; and 3) may do all such acts and things as are not by the Condominium Act, the Declaration, or by these Bylaws required to be exercised and done by the Unit Owners Association; and

WHEREAS, Article V, Section 8 (8) provides that although the maintenance of animals, livestock, poultry, or reptiles of any kind is prohibited in a Unit, the keeping of *small, orderly domestic pets (e.g. dogs, cats or caged birds)*, not to exceed one per Unit without the approval of the Board of Directors, is permitted; and

WHEREAS, the Board of Directors deems it advisable for the purposes of interpreting this provision to clarify what the provision means when it uses the phrase "*small, orderly domestic pets (e.g. dogs, cats, or caged birds)*";

NOW, THEREFORE, for the purposes of clarification and interpretation, the Board of Directors deems that the phrased "*small, orderly domestic pets (e.g. dogs, cats or caged birds)*" as used in Article V, Section 8 (8) of the Bylaws refers to dogs, cats and or caged birds without regard to height or weight limitations and that the term small modifies the noun "domestic pets" which could otherwise include larger pets. The parenthetical is important and instructive to the Board in that each of the pets listed as examples could have been further modified by the term "small" (e.g. "small dogs; small cats") had the drafter intended that meaning. Furthermore, if the drafter had intended to restrict permissible dogs to small dogs, it would have set height and weight limitations as is commonly done in condominium documents. The absence of such restrictions is telling. For these reasons the Board deems that one domesticated dog, cat, or caged bird, without regard to height or weight, may be kept within a Unit; any greater number requires the prior approval of the Board of Directors **based on small pet definition not restricting height or weight.**

A. GENERAL REQUIREMENTS

Parkfairfax is a pet friendly community that asks all pet owners to be aware of our requirements and to be sensitive to other pet and non-pet owners in monitoring the behavior of the animal(s) in residence.

1. All animals owned by residents must be registered with the Association Office. A Pet Registration Form must be signed by both the pet owner and the unit owner. Pet owners must seek and receive approval from the Board of Directors to keep more than one pet per

unit. Owners who lease their unit must provide the tenant with a copy of Policy Resolution Number Seven; tenants must comply with Parkfairfax Pet policies.

2. Pet owners are required to be in compliance with City of Alexandria laws and regulations requiring the inoculation, registration (within 30 days of residence), and supervision of certain animals. As City of Alexandria law requires certain animals to be properly registered and bear certain tags showing registration and inoculation against rabies, pet owners are required to ascertain whether or not their pets need said identification and inoculation and to obtain the same when required. The total number of pets allowed per unit is limited to the total allowed by the City of Alexandria.
3. Residents that foster pets ("foster parents") must register as a foster home and register each pet with the Association Office. Foster parents must comply with the City of Alexandria laws and regulations and the tenets of the Parkfairfax Pet Policy (AR#7) herein., including limiting the number of pets fostered to the number allowed per dwelling, as stated by the City of Alexandria.
4. Any animal bite or attack should be reported to the City of Alexandria Animal Control. All diseased animals should be reported to the City of Alexandria Animal Control. After informing the City of Alexandria Animal Control, a resident should contact the Administrative Office so that it can follow up the report with the City of Alexandria Animal Control to determine if a health hazard exists.
5. No resident shall engage in any act of cruelty toward any pet. This includes prohibition of the use of poison, which is Alexandria city law. Any witnessed act of cruelty should be reported to the City of Alexandria Animal Control.
6. Pet owners are responsible for the appropriate and sanitary disposal of their deceased pets. City law prohibits the burial or disposal of dead animals within the city limits. Residents should consult their veterinarian or the City Health Department for information on disposal of animals.
7. Dogs, cats, and all other pets are permitted on the common and limited common elements only when carried or restrained on a leash and when supervised by a responsible person. Common elements include any wooded area within Parkfairfax. Per Bylaws regulations, no pet may be leashed to any stationary object for more than fifteen minutes at a time. Any pet which becomes a nuisance must be removed from the common elements immediately and the owner may be subject to all sanctions available to the Parkfairfax Unit Owners Association.

8. With the exception of service animals, pets are not permitted within the following recreational areas: pool enclosures, tot lots, volleyball courts, basketball courts, tennis courts, exercise room, and party room.
9. Pet owners are responsible for any property damage, injury or disturbances their pets may cause or inflict.
10. Pet owners are responsible for the immediate removal and proper disposal of the waste of their pets from the common and limited common elements. The Association provides conveniently placed trash cans for disposal of pet waste.
11. Pet doors leading to the outdoors are not permitted. Pet houses, crates, and enclosures are not allowed outdoors in Parkfairfax.
12. No vehicle shall be used as an animal kennel or cage, and no animal shall be confined in any area except within a unit of the condominium.

B. COMMUNITY NUISANCES

The following shall be grounds for complaint against a pet owner and for the finding of a community nuisance:

1. A violation of any of the "General Pet Requirements" as listed in Section A, above.
2. A violation of any of the pet regulations as stated in the Bylaws of the Parkfairfax Condominium Unit Owners Association.
3. Failing to restrain a pet from making persistent noise, including barking, howling, and screeching, within or outside a building which inordinately or unreasonably disturbs residents.

C. PROCEDURES FOR RESOLVING PET PROBLEMS

A resident concerned about a pet-related problem should follow the procedures outlined below:

1. Parkfairfax residents are encouraged to work together in a friendly, patient, and helpful manner to resolve any concerns among themselves.

2. If personal attempts at a solution fail, a written complaint may be submitted to the Covenants Director. Those who wish to register a complaint must document the problem as thoroughly as possible: describe the specific animal causing the nuisance and the type of nuisance, include dates and times of the disturbances, identify the owner by name (if known), and the address. Please note, all written complaints will become a matter of public record. Verbal complaints or confidential complaints will not be acted upon by the Association. If the Association Covenants Director cannot resolve the situation satisfactorily, the matter may be referred to the Covenants Committee for a hearing in accordance with the Special Resolutions Process.

D. REMEDIES

In the event that a pet violation continues or is unresolved after all hearing procedures (as outlined in Policy Resolution Number Four) have been exhausted, the Covenants Committee may employ any sanctions permitted under the Bylaws or it may recommend to the Board of Directors that the owner be required to remove the pet from the condominium or recommend the Board of Directors terminate a tenant's lease due to non-compliance with Association rules (as outlined in Article V, Section 8.a.6 of the Bylaws). The Board of Directors may rule on the request of the Covenants Committee or may, at its discretion, hold a final hearing prior to deciding on the request. If a unit owner does not comply with a decision by the Board of Directors to have the pet removed from the condominium, the Board of Directors may take any action necessary to have the pet removed in accordance with the laws of the City of Alexandria.

E. ARTICLE V, SECTION 8 (A8) OF THE BYLAWS

Section 8. Restrictions on Use of Units; Rules and Regulations

(A8) Restrictions. The maintenance, keeping, boarding and/or raising of animals, livestock, poultry or reptiles of any kind, regardless of number, shall be and is prohibited within any Unit or upon the Common Elements, except that the keeping of small, orderly domestic pets (e.g., dogs, cats or caged birds) of any height or weight not to exceed one per Unit without the approval of the Board of Directors, is permitted, subject to the Rules and Regulations adopted by the Board of Directors; provided, however, that such pets are not kept or maintained for commercial purposes or for breeding and provided, further, that any such pet causing or creating a nuisance or unreasonable disturbance or noise may be permanently removed from the Property upon ten days written notice from the Board of Directors. Such pets shall not be permitted upon the Common Elements unless accompanied by an adult and unless carried or leashed. No pet may be leashed to any stationary object on the common elements for periods in excess of fifteen minutes. Unit Owners shall remove pet waste from the Common Elements promptly. Pets are not permitted within the recreational areas. Any Unit Owner who keeps or maintains any pet upon any portion of the

Property shall be deemed to have indemnified and agreed to hold the Condominium and each Unit Owner free and harmless from any loss, claim or liability of any kind or character whatever arising by reason of keeping or maintaining such pet within the Condominium. All pets shall be registered with the Board of Directors and shall otherwise be registered and inoculated as required by law.

Article V, Section 8, a (8) is prescriptive for the Policy Resolution #7, Pet Policy. Any changes to the above statement in the Bylaws require a two-thirds vote of the Parkfairfax owners.

PARKFAIRFAX CONDOMINIUM ASSOCIATION PET REGISTRATION

DOG () CAT () BIRD () OTHER () _____

MALE () FEMALE () BREED _____DECLAWED __Y__N

General Description: (Please begin with predominant color followed by other colors/special markings and any abnormalities or deformities.)

Pet Owners Name: _____ Home Phone: _____

Address: _____ Work Phone: _____

Name Pet answers to: _____

No pet (cat or dog) will be permitted on the Common or Limited Elements unless carried or restrained on a leash and under the direct control of a responsible person.

Current City of Alexandria Registration Number: _____

Date and Registration of Rabies Inoculation: _____

By registration of my pet, I acknowledge and agree to abide by the Pet Policy set forth in the Parkfairfax Condominium Unit Owner's Association Policy Resolution Number Seven, relating to the keeping of pets.

I also confirm that as of this date, my pet is current on all inoculations.

Pet Owner Signature: _____ Date: _____

By my signature below, I as the Unit Owner, acknowledge that I am aware of and agree to abide by the Pet Policy set forth in the Parkfairfax Condominium Unit Owner's Association Policy Resolution Number Seven, relating to the keeping of pets. I further acknowledge my responsibility to make my tenants aware of Policy Resolution Number Seven.

Unit Owner Signature: _____ Date: _____
 Address: _____ (H)
 _____ (W) _____ (C) _____

For Management Office Use Only:

Received:

General Manager Signature Date _____

Revised 1/18/17

PARKFAIRFAX CONDOMINIUM ASSOCIATION FOSTER REGISTRATION

DOG () CAT () BIRD () OTHER () _____

MALE () FEMALE () BREED _____ DECLAWED __Y__N

General Description: (Please begin with predominant color followed by other colors/special markings and any abnormalities or deformities.)

Foster Parent Name: _____ Home Phone: _____

Address: _____ Work Phone: _____

Name Pet answers to: _____

Expected duration of stay (dates): _____

No pet (cat or dog) will be permitted on the Common or Limited Elements unless carried or restrained on a leash and under the direct control of a responsible person.

By registration of the foster pet, I acknowledge and agree to abide by the Pet Policy set forth in the Parkfairfax Condominium Unit Owner's Association Policy Resolution Number Seven, relating to the keeping of pets.

I also confirm that as of this date, the foster pet is current on all inoculations if required. I include with this application the contract I have with my fostering agency.

Foster Parent Signature: _____ Date: _____

By my signature below, I as the Unit Owner, acknowledge that I am aware of and agree to abide by the Pet Policy set forth in the Parkfairfax Condominium Unit Owner's Association Policy Resolution Number Seven, relating to the keeping of pets. I further acknowledge my responsibility to make my tenants aware of Policy Resolution Number Seven.

Unit Owner Signature: _____ Date: _____
 Address: _____ (H)
 _____ (W) _____ (C) _____

For Management Office Use Only:

Received:

General Manager Signature Date _____

Revised 1/18/17

**PARKFAIRFAX CONDOMINIUM ASSOCIATION
 ADDITIONAL PET APPLICATION**

Name: _____ Phone# : (____) _____

Work# : (____) _____

Address: _____

Unit Owner Name and Address: _____
 (if different than above)

I seek approval for an additional pet in my home.

I presently have: _____
 (Number and type of pets)

I wish to add: _____ (Name
 and type of pet)

Current City of Alexandria Registration # : (Cats/Dogs) _____ (copy of the city of
 Alexandria registration form must be attached)

Date and registration of rabies inoculation: (Cats/Dogs) _____

No pet (cat or dog) will be permitted on the Common or Limited Elements unless carried or restrained on a leash and under the direct control of a responsible person.

By my signature below, I affirm that I will abide by the decision of the Board of Directors. I further confirm that such additional pets will not be used for commercial breeding purposes and that they are properly registered at the Unit Owners Association. I acknowledge and will abide by the pet policies set forth in Parkfairfax Condominium Unit Owner's Association Policy Resolution Number Seven, related to the keeping of pets.

I also confirm that as of this date, my pet is current on all inoculations.

Signature Date **Pet Owner**

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By my signature below, I as the Unit Owner, acknowledge that I am aware of and agree to abide by the Pet Policy as set forth in the Parkfairfax Condominium Unit Owner's Association Policy Resolution Number Seven, relating to the keeping of pets. I further acknowledge my responsibility to make my tenants aware of Policy Resolution Number Seven.

Unit Owner Signature Date (See back page)

BOARD USE ONLY: REVIEW DATE: _____

APPROVAL DATE _____

HEARING DATE: _____

APPROVAL VERIFICATION SIGNATURE

GENERAL MANAGER: _____

NOT APPROVED: _____

REASONS FOR NOT APPROVING: _____

NON-APPROVAL VERIFICATION SIGNATURE

GENERAL MANAGER: _____ Date _____

===== OFFICE USE ONLY
_____ PENDING PET COMPLAINTS _____ PREVIOUS PET COMPLAINTS

Revised 8/21/19