

**Emery Bay Village Homeowners Association**  
**ANIMAL POLICY & RULES**

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**Animal Policy:**

A reasonable number of pets shall be deemed to be limited to two (2) unless otherwise determined by the Board.

No animals of any kind shall be kept, bred or maintained for any commercial purposes.

The Board shall specially have the right to prohibit the maintenance of any pet, which, in the opinion of the Board, after notice and hearing, constitutes a nuisance to the Owner or Owners.

NOTE: For clarification, in the policies or rules anywhere the term "Pet Owner" is used it refers to the Unit Owner in the case of guests or renters.

**Rules for Animal Maintenance:**

1. Dogs must be kept on a leash or confined within the pet owner's unit at all times.
2. All animals shall be the exclusive responsibility of the pet owner.
3. The pet owner is responsible for the "immediate" clean up of animals' waste products.
4. If a pet owner does not remove waste immediately, the Association will charge the pet owner for the cost of such removal.
5. Damage to any common area by animals will be at the expense of the pet owner.
6. Pet noise will be equally enforced against the yardstick of the general noise policy.
7. The exception to the standard noise policy is that –
  - a. Barking or loud animals shall be controlled by the pet owner at all times,
  - b. Complaints regarding barking or loud animals could result in removal of the animal at the pet owner's expense.
8. If any pets become a general nuisance, restrictive action will be taken.
9. Certain animals have been identified as aggressive and dangerous and are known to have caused serious injury and death. These animals are: **Pit Bulls, Rottweilers, Doberman Pincers, Presa Canarios, large or exotic snakes, or other animals the Board deems dangerous. These animals are prohibited inside the complex and any unit. The Board can update this list, as it deems necessary.**
10. The Association does not tolerate dangerous conduct of pets, such as biting, lunging, unprovoked attacks, etc.
11. The Association does not tolerate abuse of animals. The appropriate authorities will be notified if abusive behavior is known to exist.

Secretary Signature: \_\_\_\_\_

Adopted: This day 24 in the Month of January in the Year of 2002.

Amendment Date: August 22, 2002

Amendment Number: 2

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**Penalties**

1. Pet violations - \$25.00 per occurrence in case of violations that do not present a hazard to personal safety or a threat to property. If the detrimental conduct continues for several days following notification, a \$25.00 per day fine may be imposed, at the discretion of the board.
2. Violations that cause a safety hazard or that can damage property can be fined up to \$500 per day, at the discretion of the board, depending upon the seriousness of the conduct.
3. PROHIBITED Animals: \$1,000 Plus \$100.00 per day after notification.

**Enforcement**

If any of the above policies or rules is deemed in violation, the Board and the management company will proceed as follows:

1. Owners of pets (and/or unit owner in the case of guests or renters) found to be in violation are to be notified of:
  - a. The infraction, and
  - b. The Association's intent to assess fines or other proposed enforcement action.
2. The first notice will be in writing to the pet owner (and the unit owner in the case of renters) stating one (1) or more of the following:
  - a. The violation,
  - b. The time frame for correction,
  - c. Any penalty to be assessed if not corrected in time frame allowed, and
  - d. The opportunity for a hearing.
3. The Board has the final say on the resolution to matters and issues before it.

Secretary Signature: \_\_\_\_\_

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