

PARKFAIRFAX CONDOMINIUM UNIT OWNERS ASSOCIATION

POLICY RESOLUTION NUMBER SEVEN

PET POLICY

WHEREAS, Article III, Section Two, of the Parkfairfax Condominium Unit Owners Bylaws assigns the Board of Directors with “. . . all of the powers and duties necessary for the administration of the affairs of the Unit Owners Association” and further states that the Board of Directors “. . . 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 III, Section Two, of the Parkfairfax Condominium Unit Owners Bylaws enables the Board of Directors to "adopt any rules and regulations ('Rules and Regulations') deemed necessary for the benefit and enjoyment of the condominium"; **AND**

WHEREAS, Article V, Section Eight (A) Eight of the Parkfairfax Condominium Unit Owners Association Bylaws, concerning the maintenance of animals and pets, gives to the Board of Directors certain rights concerning pets; **AND**

WHEREAS, for the health, safety, welfare, comfort, and convenience of all residents, the Board of Directors wishes to establish a policy regarding pets;

NOW THEREFORE, BE IT RESOLVED THAT the following Pet Policy be adopted by the Board of Directors:

A. GENERAL REQUIREMENTS

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.
2. All animal bites or attacks should be reported to the City of Alexandria Animal Warden. All diseased animals should be reported to the City of Alexandria Animal Warden (703) 838-4774. After informing the City of Alexandria Animal Warden, a resident should contact the Administrative Office so that it can follow up the report with the City of Alexandria Animal Warden to determine if a health hazard exists.
3. No resident shall engage in any act of cruelty toward any animal. This includes prohibition of the use of poison. As this is a restating of city law, any act of cruelty witnessed must be reported to the City of Alexandria Animal Warden.

4. Pet owners are responsible for the appropriate and sanitary disposal of their dead 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.
5. Dogs shall not be permitted on the common elements, unless carried or restrained on a leash. Cats shall not be permitted on the common elements, unless carried or restrained on a leash. All other pets shall not be permitted on the common elements, including the limited common element, unless carried by a responsible person. 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 Covenants Committee or Board of Directors.
6. Pets may be leashed to stationary objects on the common elements, which include the limited common elements, no more than twice a day and for periods not to exceed fifteen (15) minutes each. While a pet is leashed to a stationary object, it must be under the supervision of a responsible person. The leash may not exceed six feet in length and may not be fastened to any exterior portion or fixture of a condominium building or to any fence.
7. Pets are not permitted within the following recreational areas: pool enclosures, tot lots, volley ball courts, and tennis courts.
8. Pet owners are responsible for any property damage, injury or disturbances their pets may cause or inflict.
9. Pet owners are responsible for the immediate removal and proper disposal of the waste of their pets from the common elements, which includes the limited common elements.
10. Pet doors leading to the outdoors are not permitted.
11. Pet owners must seek and receive approval from the Board of Directors to keep more than one pet per unit.
12. Owners who lease their unit must require within the lease that the tenant comply with the pet policies of Policy Resolution Number Seven, and must submit a copy of the lease to the Administrative Office. Pet owners' are required to be in compliance with City of Alexandria laws and regulations requiring the inoculation and registration of certain animals.
14. As City of Alexandria law requires certain animals to be properly registered and to bear certain tags showing registration and inoculation against rabies, pet owners are required to ascertain whether or not their pets need said identification and to obtain the same when required.
15. All pets in heat must be confined either within a unit or outside Parkfairfax.

Pet houses are expressly prohibited in Parkfairfax.

16. 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 noise, including barking, howling and screeching, within or outside a building which inordinately or unreasonably disturbs neighbors.
4. Disciplining or training a pet in a manner which inordinately or unreasonably disturbs neighbors.
5. Any instance of a pet biting, attacking, or hindering freedom of movement, or exhibiting any other aggressive behavior toward persons or other animals.

C. PROCEDURES FOR RESOLVING PET PROBLEMS

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

1. Residents should attempt to work together in a friendly, patient, and helpful manner.
2. Submit a written complaint to the Administrative Office if personal attempts at a solution fail. Residents who wish to register a complaint must document the problem as thoroughly as possible, describe the specific animal causing the nuisance, include dates and times of the disturbances, identify the owner by name (if known) and the address.

The Administrative Office will treat all complaints as confidential unless the complainant wishes otherwise. The first step will be to attempt to obtain an informal solution to the problem. If such a solution is not possible, the Administrative Office will refer the matter to the Covenants Committee who will initiate 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) 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.”