

PET POLICY

Note: The Board of Directors used the following to establish this policy:

- Declaration of Conditions and Restrictions for The Village at College Downs
- By-Laws of The Village Townhome Association, Inc.
- Opinion of legal counsel

The Board of Directors of The Village at College Downs, at a meeting duly called and held in July 2009, and pursuant to Article VIII, Section 2 of the Association's Covenants, Conditions, and Restrictions and Article VIII, Section 1 of the Association's By-Laws, adopted the following regulations on the keeping of pets by owners (or their tenants).

1. No animals (including, but not limited to horses, fowl, reptiles, insects, or poultry) may be kept within the complex, except that domestic dogs, cats, birds, fish and other household pets may be kept as household pets within the complex, provided that: a) they do not create a disturbance; and b) provided that they are not kept, bred, or raised for commercial purposes or in unreasonable quantities. "Unreasonable quantities" limits the number of dogs and cats to two (2) each, and no more than three (3) in total
2. No dangerous or wild animals may be kept, including but not limited to wild cats, poisonous snakes, scorpions, tarantulas, or animals known to carry disease that may be transmitted to other animals or humans.
3. No pets of any kind exceeding 50 pounds may be kept without the prior written consent of the Board of Directors.
4. It is required that all animals be under leash at all times, and under the control of a responsible adult, when on any part of the common areas, or streets, of the complex. Within the definition taken from our documents, "Common area" is defined as all real property owned by the Association for the common use and enjoyment of the owners (Article II, Section 3 of the By-Laws).
5. No Pet shall be tethered out in the front or back area or housed outside. All pets are to be housed inside the dwelling.
6. Allowing pets to "relieve" themselves in other homeowners' yards or in the common areas is not allowed (Covenant Article VIII, Section 2, Nuisance and Section 6, Animals). Owners (and tenants) must immediately clean up any waste left by their pets in the back patio or common areas. Charlotte City Ordinance also requires citizens to remove waste deposited by dogs in their possession.
7. The cost of repairing any damage caused to the common areas, front or back lawns, or living units by a pet shall be born by the owner of the unit where the pet is harbored. Such cost, including any costs of collection or reasonable attorney's fees, shall constitute an assessment against the owner's unit as defined in Article VIII, Section 1 of the Association's By-Laws, and the Association shall have the remedies set forth in Article XII, Section 1 of the Association's Covenants, Conditions, and Restrictions.
8. The Association has the right to cause any animal which creates a nuisance, or disturbs other owners, to be removed within five days after written notice from the Board of Directors to the responsible owner. According to Charlotte City Ordinance "nuisance" is defined as having an

animal which disturbs the rights of or threatens the safety of a member of the general public, or interferes with the ordinary use and enjoyment of their property. See also <http://www.charmeck.org/Departments/Animal+Control/Local+Ordinances/Nuisance+Animals.htm>

9. The Board of Directors has the sole authority to interpret these regulations and determine whether or not a violation exists. Any determination of the Board with respect to these regulations shall be final and non-appealable.

Adopted July 14, 2009, replacing all previous policy regarding the keeping of pets by owners of units at The Village at College Downs