

KINGSTOWNE RESIDENTIAL OWNERS CORPORATION
POLICY RESOLUTION NO. 8
PET POLICY

WHEREAS, Article VII, Section 1(f) of the Declaration of covenants and Restrictions provides the Board of Trustees with the authority to adopt general rules regulating the keeping of pets within the Properties of the Association;

WHEREAS, the Board of Trustees previously adopted Policy Resolution 8 to set forth the Association's policy and general rules concerning the keeping of pets within the Properties of the Association;

WHEREAS, the Board of Trustees has received a number of recent complaints concerning the manner in which some residents keep pets, and these complaints have caused the Board to re-evaluate Policy Resolution 8 for revision purposes.

NOW THEREFORE, BE IT RESOLVED THAT the Board hereby revises Policy Resolution 8 and adopts the following policy:

I. GENERAL PET GUIDELINES

A. Subject to the restrictions set forth below, resident pet-owners shall be permitted to keep ordinary house pets within individually owned Property. The term "ordinary house pet" shall include, but not necessarily be limited to, dogs, household cats, caged domestic birds, hamsters, gerbils, guinea pigs, aquarium fish, small turtles and tortoises, and creatures normally maintained in a terrarium, aquarium, or small cage.

B. Resident pet-owners shall not be permitted to keep any unusual house pets within their individual owned Property (or on the common area) without the advance written approval of the Board of Trustees. The term "unusual house pet" shall include, but not necessarily be limited to, non-domesticated animals, livestock, poultry, large reptiles, anthropoids, felines other than household cats, canines other than dogs, rodents, mammals, uncaged non-domestic birds, and creatures other than those listed in Paragraph A above or not normally maintained in a terrarium, aquarium or small cage.

II. PET RESTRICTIONS

A. Pet Registration.

Resident pet-owners must register all dog and cats with Fairfax County, as applicable, and make sure that evidence of registration is clearly visible on the pet. The Association reserves the power to consider any resident's failure to do so as a violation of the Association's rules.

B. Common Area Pet Policy.

Except for resident pet-owners who need seeing eye-dogs or special assistance-trained animals, residents are prohibited from bringing any pets onto the common facilities owned by KROC designed for active use, such as any of the community centers, the pools, tennis courts, and tot lots. Residents may bring pets onto the common areas owned by KROC designed for passive use, such as grassy open space areas or walkways, provided that a) the residents have direct control over their pet with a leash of six feet or less in length or b) the residents carry their pet in a carrier designed for such use.

Resident pet-owners may not leash a pet to any stationary object on the Common Area.

Resident pet-owners are required to clean up the solid waste from their pets and to dispose of it properly in waste containers.

Resident pet-owners are responsible for the control of their pet at all times.

Resident pet-owners are responsible for any property damage injury, or disturbance that their pet may cause or inflict anywhere within Kingstowne. To the extent the Association is subjected to any liability exposure as a result of the actions of an animal, the Association shall make a claim against the pet-owner.

Resident pet-owners are responsible for ensuring that their pet does not molest, attack or otherwise interfere with the freedom of movement of persons on the common areas, or which chase vehicles, attack other pets, or create a threatening disturbance in other ways.

C. Commercial Activity.

Commercial breeding of pets is prohibited within the Association.

D. Lot Activity.

Resident pet-owners must take due care to ensure that their pets do not make excessive noise, cause any offensive smell, or create any physical threat to any resident's safety, particularly among children.

Resident pet-owners are responsible for promptly cleaning their individually owned Property of any waste from their pets.

III. NUISANCES

The Declaration requires each member to ensure that his lot is occupied in such a manner so as not to constitute a nuisance to any other resident. In addition to the enforcement of the rules listed above, the Board of Trustees reserves the power to generally endorse the prohibition against nuisances to address any undesirable or offensive situation involving a pet which is not addressed by the guidelines or restrictions set forth above.

IV. ENFORCEMENT POLICY

The Board of Trustees lacks the resources and desire to conduct inspections of the community to enforce this Resolution; accordingly, the Board hereby adopts a complaint-driven policy of enforcement and strongly encourages members to informally attempt to resolve any complaints with their neighbors before formally filing a complaint with the Board.

Absent the receipt of a written complaint from two members, the Board of Trustees shall not take any action to enforce this Resolution; however, if two members in good standing, each from separate lots, submit a written complaint against another member to the Board, then the Board shall conduct a formal review of the matter.

Board members may file complaints only in their capacity as individual members. If a Board member (or an occupant of his/her household) files a complaint, the Board member must recuse himself/herself from all of the proceedings as a Board member.

If a complaint is signed by both members, dated, and sufficiently clear and credible in the establishment of probable cause that a member has committed or is committing a violation of this Resolution, the Board shall send a notice of complaint to the member alleged to be in violation and shall conduct its administrative review in accordance with the procedures set forth in Policy Resolution No. 14.

If the Board imposes monetary charges as an assessment against the member's lot as a sanction, the board may not impose monetary charges in excess of \$50.00 for a single offense; however, the board shall reserve the power to impose a \$10.00 charge per day for any offenses which continue after the Board formally notifies the respondent-member of its ruling and issues a cease and desist order to be made effective by a specific prospective date.

If the Board decides that the member must remove the subject pet from Kingstowne, it shall provide the member with a minimum of 20 days to comply with the Board's ruling. The Board reserves the power to impose monetary sanctions and require pet removal cumulatively.

The board of Trustees reserves the power to hold members legally responsible for ensuring that their tenants, guests, occupants, or invitees comply with the Association's Regulations.

The procedures outlined in this Resolution may be applied to all violations of the Association's Regulations, but do not preclude the Association from exercising other enforcement procedures and remedies authorized by the Association's legal documents, including, but not limited to, the initiation of suit. The board of Trustees reserves the power to assign all of its powers and responsibilities herein to a standing or special committee of its choice.

V. DISCRETION OF BOARD

The interpretation and enforcement of the guidelines listed above necessarily involve the exercise of reasonable judgment. These matters of reasonable judgment lie in the sole discretion of the Board of Trustees. Each member of the Board of Trustees shall exercise his/her discretion reasonable, in good faith and upon a desire to promote the best interests of the community. All decisions of the Board of Trustees shall be final and enforced in accordance with the legal procedures available to the Board of Trustees.

VI. NOTIFICATION

The Board shall provide notice of hearing to the complainant in the same manner as it provides notice to the alleged offender and provide complainants with the same rights of participation.

This Resolution was duly adopted by the Board of Trustees on the 3rd day of December, 1998.

KINGSTOWNE RESIDENTIAL OWNERS
CORPORATION



By _____
President