

RESOLUTION REGULATING LAND USE

I
PET POLICIES

WHEREAS, Article VII, Section 1(a) of the ByLaws enables the BOARD to adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof;

and

WHEREAS, for the health, safety, welfare and comfort and convenience of all BURKE VILLAGE residents the BOARD wishes to establish a policy regarding pets, that it may equitably and consistently enforce the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS;

NOW THEREFORE, BE IT RESOLVED THAT the following pet policies be adopted by the BOARD:

I. RULES

1. Fairfax County Animal Control Ordinance - Section 41-2-5:
 - (a) No dog shall run unrestricted in the County. Any person who is the owner or custodian of a dog found unrestricted in the County shall be in violation of this Section. This Section shall not apply to any person who uses a dog under his direct supervision while lawfully hunting, while engaged in a supervised formal obedience training class or show, or during formally sanctioned field trials. It shall be unlawful for any owner of a dog to place such dog or allow it to be placed in the custody of any other person not physically capable of maintaining effective control of restricting such dog.
 - (b) It shall be the duty of the Animal Warden or Deputy Animal Warden to seize and impound any dog found off the property of its owner or custodian when such dog is unrestricted, in accordance with provisions of Section 41-2-6.
 - (c) Any person who permits his dog to be unrestricted, whether such person be the owner or custodian of such dog, shall be deemed to have violated the provisions of this Section and shall be liable to a fine of not less than Five Dollars (\$5.00) nor more than Twenty-five Dollars (\$25.00) for each violation.
2. All dogs must be leashed or attended at all times on the Common Area.
3. Pet owners shall not permit pets to relieve themselves on Association property.
4. Pet owners are responsible for the removal of wastes of their animals from all properties.

5. Pet Owners are responsible for preventing dogs from howling or barking so as to avoid disturbing another homeowner's privacy.
6. Property owners who lease their property must obtain from the lessee a written agreement to abide by these rules, and submit a copy of such agreement to the BOARD.

II. PENALTIES FOR VIOLATION

1. Penalties for violation of the local ordinance may be enforced by the locality without regard to any remedies pursued by the ASSOCIATION.
2. In the event the BOARD or its designated committee for such purpose receives a written complaint reporting violation of the above rules by an owner from three (3) different property owners, the BOARD or its designated committee will issue a written warning to the individual who is the subject of said three (3) complaints.
3. In the event that another written complaint is received on an individual who has already been warned in writing by the BOARD or its designated committee, then the said individual shall be fined the sum of TEN DOLLARS (\$10.00), for each violation.