

**LONDON COURT CONDOMINIUM ASSOCIATION, INC.**  
**POLICY RESOLUTION NO. 6B**  
**REVISED PET POLICY**

**WHEREAS**, the Declaration of covenants and Restrictions provides the Board of Directors with the authority to adopt general rules regulating the keeping of pets within the Properties of the Association;

**WHEREAS**, the Master Deed and Declaration of Restrictive and Protective Covenants, Easements, Charges and Liens (the "Master Deed") establishes the Board of Directors of the Association as the "governing body", as that term is Referred to in the New Jersey Condominium Act (N. J.S.A. 46; 8B-12) (the "Act") and, as the governing body, is expressly vested with the rights, powers, privileges and duties necessary to or incidental to the proper administration of the London Court Condominium in accordance with those rights, powers, privileges and duties expressly stated in the Master Deed, the Bylaws of the Association and the Associations Certificate of Incorporation, and further **in** accordance with the Act, its supplements and amendments; and

**WHEREAS**, the Board of Directors previously adopted Policies 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 Directors has received a number of recent complaints concerning the manner in which some s keep pets, and these complaints have caused the Board to re-evaluate their pet policy for revision purposes.

**NOW THEREFORE, BE IT RESOLVED THAT** the Board hereby revises its pet policies and adopts the following policy:

**I. GENERAL PET GUIDELINES**

- A.** Subject to the restrictions set forth below, pet-owners shall be permitted to keep ordinary house pets within their 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. No unit shall have more than two (2) pets and all pets must weigh less than 35 lbs. Only Owner Occupied Units are permitted to have pets. Tenant occupied units may not have pets of any kind. All residents owning pets, prior to adoption of this resolution, shall be considered "grandfathered" until such time that the existing pet expires or is removed. The "Grandfather Clause, Shall apply to this clause, Section1, Part A, Only. All other sections will apply immediately at the time of adoption of this resolution.

- B.** 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 Directors. 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.**

Pet-owners must register all dogs and cats with the Township of Egg Harbor, as applicable, and make sure that evidence of registration is clearly visible on the pet. The Association reserves the power to consider any one's failure to do so as a violation of the Association's rules.

### **B. Common Area Pet Policy.**

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

- Pet-owners may not leash a pet to any stationary object on the Common or Limited Common Area.
- Pet-owners are required to clean up the solid waste from their pets and to dispose of it properly in waste containers.
- Pet-owners are responsible for the control of their pet at all times.
- Pet-owners are responsible for any property damage injury, or disturbance that their pet may cause or inflict anywhere within London Court. 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.
- 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.**

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.

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

### **III. NUISANCES**

The Declaration requires each to ensure that his lot is occupied in such a manner so as not to constitute a nuisance to any other . In addition to the enforcement of the rules listed above, the Board of Directors 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.

### **III. ENFORCEMENT POLICY**

The Board of Directors 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 residents 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 residents, the Board of Directors shall not take any action to enforce this Resolution; however, if two residents in good standing, each from separate units, submit a written complaint against another resident 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 residents. 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 residents, dated, and sufficiently clear and credible in the establishment of probable cause that a pet-owner has committed or is committing a violation of this Resolution, the Board shall send a notice of complaint to the pet-owner, alleged to be in violation, and shall conduct its administrative review in accordance with the procedures set forth in the governing documents.

If the Board imposes monetary charges as an assessment against the residents unit 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- 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 pet-owner must remove the subject pet from London Court, it shall provide the pet owner 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 Directors reserves the power to hold homeowners 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 Directors reserves the power to assign all of its powers and responsibilities herein to a standing or special committee of its choice.

#### **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 Directors. Each member of the Board of Directors 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 Directors shall be final and enforced in accordance with the legal procedures available to the Board of Directors.

#### **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 Directors on the 13th day of February 2006, at is regular meeting.

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