



PET POLICY AND RULES

(Revised January 2020)

INTRODUCTION

This policy establishes the rules and conditions under which a pet may be kept in Point Emerald Villas. The primary purpose of these rules is to establish reasonable requirements for the keeping of common household pets and at the same time to provide a decent, safe and sanitary environment for existing and prospective homeowners and to preserve the physical condition of Point Emerald Villas property. This policy is a privilege extended only to homeowners in Point Emerald Villas (PEV), after they have properly registered and signed the Pet Agreement with the Homeowners' Association. The PEV Board of Directors can revoke this privilege at any time.

Although this policy is not intended to impede the rights of persons with disabilities to be aided by Service Animals, homeowners will still be required to comply with the PEV Pet Policy and Rules, including annual pet registration, but they will not be required to pay any fees for same.

Where there are multiple owners of a unit, the homeowner desiring to bring a pet to the property is to agree to the registering of each pet and must sign the Pet Agreement and Pet Registration form. Every pet must be registered. This privilege is exclusive only to homeowners of record only. No other family member, guest, renter (full-time or seasonal), is allowed to bring pets to the property. Each application will be reviewed on a case-by-case basis. The Board reserves the right to deny any application in sole discretion regardless of the pet's breed or size.

Violations of this policy by any person, homeowner or otherwise, will be addressed promptly in the following manner (with the exception of renters who will be required to remove their pets from Point Emerald Villas property immediately):

First Offense – The affected homeowner will be assessed a \$100 fine in writing. If the fine is not paid after a 30-day period from the date of the assessment letter, the affected homeowner will lose the privilege of keeping any pet on the property until full payment is made. Legal action may be initiated against the homeowner to collect the amount due.

Second Offense – The affected homeowner will lose the privilege of keeping any pet at any time on Point Emerald Villas property, including the homeowner's premises for a period of one year from the date of the violation. At the end of that year, the homeowner may formally petition the PEV Board of Directors to reinstate their privilege to keep a pet. If permission is granted, the homeowner must follow the process of properly registering the pet following the first-time procedure in accordance with the written policy in the section entitled PET OWNERSHIP RULES.

Notwithstanding the foregoing, if in the sole discretion of the PEV Resident Manager, or the Association's management company, the presence of a pet, registered or otherwise, on the premises of Point Emerald Villas, constitutes a nuisance such as to interfere with the safety or enjoyment of any person on the premises, said pet may be required to be immediately removed from the premises.

Professionally Managed by:

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DEFINITIONS

Pet – a domesticated animal of a species that is commonly kept as a household pet in the community. A dog or cat is an example of a domesticated animal that is commonly kept as a household pet.

Service Animal – an animal which provides assistance, service, or support to a person with disabilities and which is needed as a reasonable accommodation to such individual with disabilities (for example, a dog guiding an individual with impaired vision or alerting an individual with impaired hearing). Emotional support, comfort, or therapy animals are not service animals.

Homeowner(s) – those persons who are shown as deeded record title owners and their respective spouses.

TYPES OF PETS ALLOWED

Only domesticated, common household pets will be allowed. (NOTE: Caged, interior birds do not require tags, but will be subject to compliance with the Pet Policy.) Pets of a vicious or aggressive disposition, including but not limited to those listed in **Appendix A**, are prohibited. Rodents (except for hamsters, guinea pigs, gerbils and ferrets), snakes, birds of prey, insects, and arachnids are strictly prohibited. Livestock, poisonous reptiles, and amphibians are strictly prohibited. All dogs and cats over the age of 6 months must be spayed or neutered unless the homeowner provides a certification from a licensed veterinarian that such procedure would jeopardize the medical well-being of the pet.

PET OWNERSHIP RULES

1. A homeowner who desires to acquire a new pet, keep an existing pet, or add any new pet in a manner consistent with these rules must apply in writing by requesting a Pet Registration Request Form from the Association's management company. The homeowner will be sent a form for each pet and a copy of the PEV Pet Policy and Rules. The homeowner will provide the Association's management company with the completed request form and the following information: (a) an identifying description, including age of the pet accompanied by a photograph if the pet is a dog or cat, (b) certificates of spaying or neutering of dogs and cats and proof of current rabies and distemper inoculation. Upon approval, the homeowner will be sent the Pet Agreement form to complete, sign and return with an initial nonrefundable \$100 fee for each dog and \$25 for each cat. Thereafter, an annual renewal fee of \$25 per pet, indoor or outdoor, shall be due the Association, in order for the homeowner's pet privilege to continue from year to year. The renewal fee shall be billed to owners of registered pets at the beginning of each calendar year.
2. The homeowner will be responsible for each registered pet's proper care, including but not limited to flea control, yearly inoculations (certificates of which must be presented with the registration form), and compliance with all applicable local, state and federal statutes and ordinances. After the initial registration, the homeowner is obligated to provide current pet inoculation records to the Association's management company on an annual basis.
3. The homeowner will be responsible to keep their condominium and surrounding areas free of pet odors, insect infestation, waste and litter, and maintain their condominium in sanitary condition at all times.

4. The homeowner will be responsible to clean up after their pet anywhere on Point Emerald Villas property including carrying a "pooper scooper", if necessary, and disposable plastic bags anytime the pet is outside the homeowner's condominium. Pet waste must be disposed of in the appropriate pet waste stations, which are conveniently located on the property, or in the Point Emerald Villas trash dumpsters. Pet waste or pet litter may NEVER be disposed of in any common area trash receptacle or toilet.
5. The homeowner will keep his/her pet inside their condominium at all times except for transportation on and off Point Emerald Villas property and walks for dogs. When outside the condominium, dogs must be controlled on a leash by an adult. Allowing children to walk dogs or other pets outside the homeowner's condominium unit on Point Emerald Villas property is not allowed. Cats and other nontraditional leash pets must be suitably constrained and are not allowed to be loose on the property. The exercise and "duty" areas are conveniently located around the PEV property with pet bag and waste stations.
6. Pets must NEVER be left unattended in or leashed to any craft or vehicle either motorized or non-motorized.
7. Pets must NEVER be left unattended on or leashed to any porch, deck, walkway, elevator, laundry room, bicycle stand, lamp post, fence or deck picket or rail or any other permanent or temporary anchor, or in any storage area or common area.
8. Pets must NEVER be allowed underneath any Point Emerald Villas building foundation.
9. Pets must NEVER be allowed in any Point Emerald Villas swimming pool or pool deck, resident grill area, tennis or basketball court areas, or any natural dune areas.
10. Dogs will be provided with and **MUST** wear a collar tag identifying the pet and its owner, with name, addresses and telephone number when outside the owner's condominium unit. This tag is required in addition to any license, rabies vaccination, and other tag required by law.
11. The homeowner must promptly pay, upon receipt of a bill or written notice, for the cost of all materials and/or labor, fees, fines, or assessments for repairs and/or reparations of any damage caused by their pet to any Point Emerald Villas property, any Point Emerald Villas homeowner or their guests or renters, or any other person(s) granted permission to use the homeowner's property. Noncompliance will be an offense, and it may result in legal action taken against the homeowner.
12. No pet is to remain unattended in any unit, without proper care, for more than 24 hours. The homeowner must designate one or more persons as an emergency contact that can tend to the pet if the homeowner is unable to do so. In instances where a pet appears to have been abandoned for more than 24 hours, and the homeowner or his/her emergency contact(s) cannot be located, the PEV Resident Manager or appropriate local authorities, will enter the unit, as in an emergency, to rescue and board the animal. The homeowner will be responsible for all costs incurred in the rescue and boarding.
13. The homeowner is responsible for ensuring that the rights of other homeowners and their guests and renters to peace and quiet, personal enjoyment, health, and safety are not infringed upon or diminished by his/her pet's noise, odors, wastes, or other nuisance.
14. The homeowner is responsible for disposing of all pet remains in accordance with federal, state, and local laws, rules and regulations. No pet remains of any kind may be disposed of on Point Emerald Villas property.

15. Any homeowner whose compliance with these rules is deemed to be in question, will allow appropriate investigation by the PEV Resident Manager, the Association's management company, or the PEV Board of Directors.
16. A copy of these rules will be given to every homeowner who registers a pet. Additional copies will be available from the PEV Resident Manager and at the office of the Association's management company in Emerald Isle.
17. All complaints by other homeowners, their guests or renters regarding pets will be referred to the PEV Resident Manager, or the Association's management company. Complaints that are a violation of city ordinances such as excessive noise can also be filed with the Emerald Isle Police Department if the PEV Resident Manager can not be contacted.
18. The Point Emerald Villas Board of Directors and Homeowners Association may amend or revoke this policy at any time pursuant to Point Emerald Villas Summary of Rules and Regulations and in compliance with all other relevant statutes and regulations.
19. Cat litter and any other animal waste must be disposed of in the trash dumpsters. Cat litter and other animal wastes shall not be flushed or otherwise disposed of via toilets or any part of the unit or common area plumbing system.
20. **INDEMNITY:** Any homeowner who registers a pet agrees to indemnify and save harmless Point Emerald Villas, the Board of Directors, and any employees, agents, or their designees, from any loss, damage, harm, claim, action, liability or expense (including reasonable attorney fees and expenses of litigation) in connection with actual or alleged personal injury or damage to property occurring on or about the PEV common areas or other portions of the property brought about by the actions of the pet that is registered; that to the extent possible by equity or in law, the homeowner's insurance will defend and indemnify Point Emerald Villas, the Board of Directors, and its individual representatives, in the event a claim is made or suit is filed against any of them arising out of the actions or conduct of the homeowner's pet.

APPENDIX A

The following breeds or any mixed breed dog of one-fourth (1/4) or more of the following are prohibited onsite at Point Emerald Villas:

1. Pit Bull
2. Rottweiler
3. German Shepherd
4. Husky
5. Alaskan Malamute
6. Doberman Pinscher
7. Chow Chow
8. Great Dane
9. St. Bernard
10. Akita
11. Presa Canario
12. Boxer
13. Dalmatian
14. Mastiff