

PURCELLVILLE RIDGE HOMEOWNERS ASSOCIATION, INC.

**Policy Resolution 06-003
(Pet Control Resolution)**

WHEREAS, Section 7.14 of the Purcellville Ridge Homeowners Association By-Laws (“Bylaws”) provides that the Board of Directors has all of the powers to formulate, publish, and enforce rules and regulations relative to the operation, use and occupancy of all Lots, Common Area facilities and the personal conduct of the Association members and their guests thereon;

WHEREAS, Section 55-515 of the Virginia Property Owners Association Act, Code of Virginia (1950, as amended) (hereinafter *the Act*) and the Declaration, charge all Lot Owner’s and their tenants, guests and invitees with compliance with the Declaration, Bylaws, Rules, and Regulations (hereinafter the *Governing Documents*) of the Association as amended;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors will enforce the following policies:

**Article 3: SECTION 12 OF THE TOWN OF PURCELLVILLE ZONING
ORDINANCE STATES:**

P100.0 - The keeping of commonly accepted pets shall be allowed as an accessory use on any lot, provided such pets are for personal use and enjoyment, and not for any commercial purposes. Dogs shall be subject to the provisions of paragraph 2 below.

P100.1 - The keeping of dogs, shall be allowed as an accessory use on any lot in accordance with the following schedule, except that, in determining the number of dogs allowed, only those dogs over 6 months will be counted:

| Number of Dogs | Minimum Lot Size |
|-----------------------|-------------------------|
| 1 to 2 | No Requirement |
| 3 to 4 | 15, 000 square feet |
| 5 to 6 | 20, 000 square feet |
| 7 or more | 30,000 square feet |

P101.0 - Violations of Purcellville Town regulations will be referred to the Purcellville Police Department.

CODIFIED ORDINANCES OF LOUDOUN COUNTY CHAPTER 612 STATES:

P200.0 – LICENSES. The Commonwealth of Virginia requires the County of Loudoun to require all dogs four (4) months of age and older to be licensed annually. Dog licenses go on sale in November of each year and must be purchased by January 31. New county residents and new dog owners may purchase licenses throughout the year. All licenses expire on December 31 of each year regardless of when they were purchased.

P200.1 - Failure to purchase a dog license is a Class IV Misdemeanor and up to a \$250 fine. More importantly the license is a means of identification to make sure your dog is returned to you if it becomes lost.

P201.0 - ANIMALS CREATING NUISANCE. It is against the law to allow animals to trespass on, destroy or damage another person's property.

P201.1 - Animals must not frequently and habitually make loud and objectionable noises or be kept in such a manner as to cause unsanitary conditions.

P201.1.1 - Nuisance noises may be reported to Animal Control, 703-830-3310, or the Purcellville Police Department, 540-338-7422.

P201.1.2 - A complainant may also request that the owner of the animal abate the noise violation. If the violation continues, that person, along with another complainant, not a member of the same household, may go to a magistrate and swear out a warrant against the animal owner. The complaining parties may appear in General District Court for action against the animal owner.

P202.0 - ANIMALS RUNNING LOOSE. It is against the law to allow animals to run loose on public property or private property of others.

P202.1 - Dogs must be restrained by a dependable leash and controlled by a responsible person when off the property of the owner.

P202.2 - Animal Control is authorized to pick up dogs at large. The agency also may pick up other animals that pose a public nuisance or threaten public safety or health.

P202.3 - To report an animal control incident, such as a dog running loose, please call 703-777-0406 or 540-882-3211.

P203.0 - VICIOUS AND DANGEROUS ANIMALS. Citizens shall not keep or permit to be kept any wild, exotic, or vicious animal as those terms are defined in the County Code.

P203.1 - ANIMALS THAT HAVE BITTEN HUMANS. If your pet or any warm-blooded animal bites any person, you must:

- Notify the Department of Animal Control or the Police.
- Confine the animal for ten days for rabies observation. (This may be done at the County Animal Shelter, a licensed veterinary hospital, or at your home, if approved by the Animal Warden investigating the case and you have a valid rabies certificate for your pet. If quarantined at home, the animal must be kept confined in an enclosure where it cannot bite again.)
- If you are bitten by any animal, it must be immediately reported to the Department of Animal Control or the County Police Department.

To report an animal control incident, such as a dog bite, dog running loose, an animal in distress, or possible case of animal cruelty or neglect, please call 703-777-0406 or 540-882-3211.

P204.0 – DOG WASTE. Failure to immediately remove a dog's feces from any property that is located: In any residential subdivision; or, adjacent to such residential subdivision shall be deemed an unlawful act and constitute a Class Four misdemeanor, except if the feces is on the dog owners premises. Doggie stations are provided for your convenience, you must pick up after your dog.

P205.0 - COMPANION ANIMAL ODOR. For any person who owns, possesses or harbors a companion animal to maintain such companion animal in a manner which causes odors offensive to a reasonable person of normal sensitivities across a real property boundary or through a partition common to two persons within a building, except that no action shall be brought under this paragraph unless the offense has been complained of in writing.

Purcellville Ridge Specific Regulations:

P300.0 – Dogs and other domestic animals are not permitted on community tennis and basketball courts, tot lot or the adjacent area, inside the pool/club house as well as in the pool and on pool deck areas.

COMPLIANCE ENFORCEMENT

P400.0 - For first-time offenders: Upon confirmation of a violation of any of the Association's Pet Resolution rules and regulations, the Managing Agent shall issue a violation notice by first class mail to the Owner at his or her address listed in the Association's records, and to the address for the Lot itself, if the Lot Owner's address of record differs from the address of the Lot.

P400.1 - This initial notice will advise the Owner of the nature of the offense and cite the specific provision within the resolution that was allegedly violated.

P400.1.1 - However, when the violation may constitute a health, safety or fire hazard, demand to remedy the violation within twenty-four (24) hours may be made.

P400.2 - For Repeat Offenders: If an Owner has received a violation notice during the prior twenty-four (24) months, the BOD reserves the right to dispense with the aforementioned initial notice and may issue a final notice. The Managing Agent shall send the Owner a final notice by certified mail, return-receipt requested to the address that the Owner is required to provide to the Association. This notice shall advise the Owner that the Association may:

P400.2.1 - Impose monetary charges of \$50.00 per cited violation;
or

P400.2.2 – Impose monetary charges of \$10 per day for any offense of a continuing nature or such greater amounts as may be authorized by the Virginia Property Owners Association Act, which is limited to Nine-hundred dollars (\$900.00) or ninety (90) days;
and/or

P400.2.3 - Suspend Owner's rights to use Association facilities.

P400.3 - This final notice shall also inform the Owner of the hearing date scheduled before the BOD to render a decision on the violation and what monetary charges and/or suspension of Owner's rights to use Association facilities may be assessed to the Owner.

P400.3.1 – This hearing will serve as Owner's opportunity to contest the monetary charges and/or suspension of Owner's rights to use Association facilities.

P400.3.2 – This final notice shall be sent by first class and certified United States mail, return receipt requested, at least fourteen (14) days in advance thereof to the Owner at the address which the Owner is required to provide to the Association.

P400.4 - The Association will deem notification effective if the Owner fails or refuses to sign for any registered or certified mailing from the Association.

P400.5 - The hearing result will be mailed by registered or certified mail return receipt requested to the Owner at the address of record with the association within three days of the hearing.

P400.6 - Nothing herein is meant to preclude the Association from the use of other remedies or sanctions available in order to obtain compliance with the Association's rules and covenants.

P400.7 - The Association reserves the right to exercise all other powers and remedies provided by the Association's Governing Documents or the laws of Virginia and Loudoun County, including, but not limited to suspending Association privileges, or obtaining injunctive relief.