

## **COUNTRYSIDE VILLAS PET POLICY, Approved by the Board, February 2021**

***The HOA has a fiduciary duty to manage and operate the common areas and the association's private streets, including making them safe and warning of any known dangerous conditions.*** Dangerous pets are not

permitted and may not remain on the common areas and private streets owned and controlled by the association. It's not just that the pet is dangerous that makes it unsafe, it's the combination of the pet owner's lack of ability to control a large and/or aggressive animal even while on a leash. Whether a pet is a nuisance is determined by the Board in its sole and absolute discretion.

Per Countryside Villas governing documents: "Pets are *conditionally* allowed. No pet can become a nuisance;" and especially not pose a threat (DCCR "Animals," Section 203; and Rules & Regulations "Pets" 4.C). A dangerous animal is a detriment to the peace and safety of the community. Especially dangerous to children, young adults, elderly, and other people's pets.

A dangerous pet is any pet that aggressively acts in a manner that causes a person to reasonably believe that the animal posed an imminent threat of serious injury to such person or another person although no such injury occurs. This threat could even cause a person to experience chest pain or heart palpitations, or even for some, a heart attack.

### **DCCRs Section 2.03 "ANIMALS"**

*"No animals of any kind shall be raised, bred, or kept, except that a reasonable number of generally recognized house or yard pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose. No animal shall be allowed to become a nuisance. A "reasonable number" as used in this Section shall ordinarily mean no more than two pets per household; provided, however, that **the Board may determine, in its sole and absolute discretion, whether a particular animal is a** generally recognized house or yard pet or **nuisance**, or whether the number of animals is reasonable." (DCCRs ~ [Section 2.03. Animals](#))*

### **Countryside Villas Rules & Regulations, Section 4.C "PETS"**

**A.** No more than two domestic pets per household may be kept without prior written approval of the Board of Directors.

**B.** All pets must be on a leash when outside the unit. Pets are not allowed to roam the common areas or anywhere on the property. This includes but is not limited to dogs and cats.\*

**C.** Excessive pet noise will not be tolerated. **No animals will be allowed to become a nuisance.**

**D.** Pet owners are expected to pick up pet waste after their pets. Whether by using a pooper-scooper, newspaper or whatever, the task must be done. Pet waste must be disposed of properly ([Rules & Regulations "Pets" 4.C](#))

\*Cats are not held to leash laws in the State of Arizona. **Arizona Law takes precedence over all other HOA documents.** State laws come before local laws, while federal laws outweigh everything else. HOA rules cannot *violate or breach State or Federal law.*