

Rules & Regulations

3.050.0 - Animals

I. Introduction

Article IX, Section 9 of the Fairwood Greens Homeowners' Association CC&R prohibits the raising, breeding, or keeping of animals, livestock, or poultry of any kind, but allows homeowners to keep and have dogs, cats, or other common household pets provided that no homeowner shall keep animals under conditions reasonably objectionable in a closely built residential community. The Association finds it important that animals be reasonably controlled and kept under conditions which will not adversely affect the quiet enjoyment of owners of their properties and the streets and common areas of the community. These rules are intended to supplement the CC&R which address animals, not supplant or amend them, and in the event of an inconsistency or conflict between these Rules and the CC&R, the CC&R shall supersede and apply.

Homeowner is responsible for all that occurs on their property, whether by tenant, guest, or other occupants. This document is sole authority for fines and the timing thereof.

II. Rule

- A. **Excessive Noise:** Repeated and/or regular excessive barking by a homeowner's dog(s) may be considered to be reasonably objectionable by neighbors. Dog owners will take all necessary steps to limit excessive noise generated by their pets, especially between the hours of 10 PM and 7 AM. Failure of a homeowner to comply shall result in the imposition of fine(s).
- B. **Leashing:** Consistent with King County ordinances and this R&R, all dogs within Fairwood Greens must be leashed when not confined to owner's property. It is the responsibility of each homeowner to ensure that their pet does not run free within Fairwood Greens. Unleashed animals (with the exception of cats) will be reported to Association's Security and King County Animal Control and violating homeowners shall be fined.
- C. **Scooping:** It is the responsibility of each dog owner to properly dispose of its fecal waste. Failure to comply is a violation of the rule and the homeowner may be fined as outlined below.
 - 1. While dog is on homeowner property, the homeowner must collect and dispose of any fecal waste generated by the dog in a timely manner so that neither the aroma nor the appearance of the yard is unsightly and/or offensive to other Fairwood Greens residents.
 - 2. While dog is off homeowner property and within the Fairwood Greens residential or common areas, the homeowner is responsible for the immediate cleanup of their dog's fecal droppings. Homeowner will carry with them appropriate implements for cleaning up after dog and must transport and deposit in homeowner's own waste containers.
 - 3. Leaving the site of the dropping without collecting the fecal matter is a violation of this rule whether on another homeowner's property, common areas, or on sidewalks or roadways.
- D. **Overly Aggressive Animal:** Homeowners shall control their animal for the safety of the community. Overly aggressive animals or animals that snarl, bark, growl, strike, charge, nip, or otherwise demonstrate behaviors that would cause a reasonable person to fear for his or her safety or the safety of their pet(s) are not compatible with the close confines of our community. If such an animal escapes control of the homeowner or the confines of homeowner's lot and causes damage, injury to persons, or a reasonable person to fear for their personal safety or the safety of their pet(s), fines may be imposed. If a third such incident occurs, the animal shall no longer be permitted within the community.

III. **Infractions**

Once a violation has been reported and confirmed, the violating homeowner notified in writing, and, if not corrected in a timely manner, fines shall be assessed.

At the Association Board's discretion, legal action may be taken against the violating homeowner at any point once a violation has been confirmed. Additional fines will continue to be assessed while the legal action is in process if the homeowner remains in violation of the declaration. All attorney fees and other costs associated with enforcement of this Rule may be assigned to or assessed upon the violating homeowner and shall be an automatic lien upon the homeowner's lot and collectible in the same fashion as if an assessment under the provisions in the Declaration of the Association, including the recording of a formal lien and foreclosure of it to protect the interests of the Association in collecting of all sums owed to it. Procedure to appeal the Association Board's decision can be found under Rules & Regulation for Appeal Process.

IV. **Fines**

- A. Excessive noise, leash, or scoop violations:
 - 1. First notice: written warning only (homeowner rectifies immediately)
 - 2. Second notice: final warning letter stating date fine will commence if not rectified
 - 3. Third and all subsequent notices: \$100/occurrence
- B. Overly aggressive animals:
 - 1. First notice: written warning
 - 2. Second notice: \$500/occurrence
 - 3. Third notice: removal of animal from community

V. **Collection of Fines**

The Association will bill the violating homeowner the applicable fines at such time and for such periods as the Association considers reasonable. All fines imposed by the Association upon a homeowner which remain unpaid for 60 days shall automatically constitute a lien on the lot and all its improvements and may be handled and foreclosed upon in the same fashion as if it were a lien for unpaid assessments under the Association's governing documents and the laws of the State of Washington. The Association may file a formal lien with King County to further protect its interests regarding the unpaid fine(s). The amount of the lien shall include interest, and all costs and expenses, including attorney fees, incurred by the Association in the imposition and collection of such unpaid fine(s).

VI. **Rule Enforceability**

If any portion of this rule is determined to be legally unenforceable, it shall not negate the enforceability of the remaining portions of the rule.

END OF SECTION

Originally dated and adopted by the Board of Trustees the 22nd day of February 2011.
Revised: 2/21/11; 8/23/22