

Governors Village Property Owners Association, Inc.
Resolution Adopting Rules and Regulations
With Respect to Dogs in GVPOA

These rules and regulations are promulgated this 27th day of July, 2017 by the Governors Village Property Owners Association, Inc. ("Association").

WHEREAS, the Association was incorporated as a non-profit corporation on or about 10th day of July, 1996;

WHEREAS, primary functions of the Association including enforcing the terms and conditions set forth in certain publicly filed documents dealing with the lots in the Governors Village community and acting to improve the health, safety and well being of the community;

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Governors Village Property Owners Association was recorded on the 15th day of November, 2000 at Book 845 page 500 of the Chatham County Register of Deeds (hereinafter, "Declaration");

WHEREAS, Article II – Use restrictions, Section 4 Animals of the Declaration provides as follows:

"No animals, livestock or poultry of any kind shall be raised, bred or kept on any Homesite, in any apartment or on the common areas. However, dogs, cats and other common household pets ("Pets") may be kept on Homesites, in Garage Apartments and in other apartments subject to such rules and regulations as may be adopted by the Association provided that:

- a. Pets may not be kept, bred or maintained for commercial purposes;
- b. No more than two (2) dogs, excluding offspring not yet three months old, may be kept on a Homesite or in a Garage Apartment or other apartment at any time;
- c. No more than four (4) of any combination of Pets, excluding offspring not yet three months old, which ever go outside the Residence on the Homesite or the Garage Apartments or other apartment may be kept on a Homesite or in a Garage Apartment or other apartment at any time; and
- d. No animals shall be allowed to run loose at any time, except that Pets may be allowed to run loose within fenced-in-areas approved by the ARB on Homesites, subject to such rules and regulations as may be adopted by the Association."

WHEREAS, Article II – Use restrictions, Section 5 Rules and Regulations Governing Use of the Property of the Declaration provides as follows:

"The Master Association, through its Board of Directors, shall regulate the use of the Property by Owners and may from time to time promulgate such rules and regulations governing the use thereof as it may deem to be in the best interest of Members. [...] Such rules and regulations may be enforced by legal or equitable action by the Master Association."

WHEREAS, recent events in the community involving uncontrolled dogs have made it necessary for the Board to adopt rules and regulations pertaining to dogs in the community for the health and safety of all Owners and visitors in the community.

WHEREAS, the Board of Directors desires to promulgate the following rules and regulations in order to protect the Owners and visitors and to ensure compliance with the Declaration and maintain and preserve the plan and scheme of development in the community and to preserve and enhance property values for all Owners;

NOW THEREFORE, the Board of Directors, effective August 1, 2017, the Association promulgates the following rules and regulations pursuant to Article II, Section 4 of the Declaration:

1. No dogs may be kept or maintained on any Lot in the community that are kept or maintained for commercial purposes or illegal activities. By way of example, and without limitation, no dogs shall be kept on any Lot whose sole purpose is breeding for profit by an Owner(s).
2. No dogs may be kept or maintained on any Lot in the community that create a nuisance in the judgment of the Board. No dogs may be kept or maintained on any Lot in the community that are classified as a "Dangerous dog" or "Potentially dangerous dog" pursuant to Section 22-301 of the Chatham County Code of Ordinances.
3. Any and all dogs kept on a Lot must be kept and maintained in compliance with all laws and ordinances of the State of North Carolina, Chatham County or other applicable governmental entity relating thereto. However, each Owner is advised that compliance with the Chatham County Animal Control Ordinance or other local, state or federal ordinance or law does not necessarily guarantee compliance with the Declaration or this rule.
4. All dogs must be on a leash if off the dog owner's Lot. All dog waste shall be promptly removed from any Lot, Common Area or Common Property in the community by the Owner(s) of the dog(s).
5. In the event of a violation of any of the above rules, the Board of Directors reserves the right to enforce the terms of the Declaration and aforesaid rules by any of the following methods, after notice and hearing that allows the dog Owner the opportunity to be present and to be heard:
 - a. A fine of not more than \$100 per day or per incident, as may be appropriate, provided notice and opportunity to be heard is given to the Owner(s) before such fine is imposed, pursuant to NCGS §47F-3-107.1.
 - b. The Board may impose additional specific restraints on Owner(s) and pets as necessary in order to protect the safety of other Owner(s) and visitors of the community. Such restraints may include, without limitation, requiring dogs to be leashed on the Lot irrespective of a fence on the Lot and requiring the Owner(s) to be present outside when the dog(s) is outside on the fenced Lot, all as necessary to ensure compliance with said rules.
 - c. The Board may demand that the Owner(s) remove the dog(s) from the Lot in the event the Board deems the dog(s) a risk to the safety of other Owner(s) or visitors; and the Board may demand the removal of the dog(s) in the event the dog(s) have been deemed a nuisance or otherwise in violation of laws and ordinances of the State of North Carolina, the Chatham County or other applicable governmental entity. If such demand is made, the Owner(s) shall take the necessary steps to remove such dog(s) within two (2) days of such written notice from the Board of Directors for the Association. All costs and expenses associated with boarding such dog(s) off-site shall be borne by the Owner(s).
6. By State and Federal law, service dogs are not included in the two (2) dog maximum. One (1) therapy dog may be kept in addition to the two (2) dog maximum, provided that the owner, upon request of an authorized agent of the Association, provide documentation in the form of an ESA letter from a mental health professional.
7. The Board reserves the right to promulgate, amend and publish additional rules and regulations with respect to this or any other issues as allowed pursuant to Article 11, Section 5 of the Declaration.

The foregoing rules and regulations were adopted at a meeting of the Board of Directors on July 27, 2017.

Approved:

Kalyan Ghosh
Kalyan Ghosh, President

Clifford Simpson
Clifford Simpson, Secretary