

WOODMONT OVERLOOK HOMES ASSOCIATION, INC.
ADMINISTRATIVE RESOLUTION NO. 3
PET RULES AND REGULATIONS

WHEREAS, pursuant to Article VIII, Section 1(a) of the Declaration of Covenants, Conditions and Restrictions of Woodmont Overlook Homes Association, Inc., recorded in Liber 6342, at Folio 240, among the land records of Montgomery, County, Maryland (the "Declaration"), nothing shall be done upon any Lot or within any dwelling situate upon the Properties which may be or become an annoyance or nuisance to the neighborhood or to the other Owners of any Lot; and

WHEREAS, the Maryland Court of Appeals ruled in *Tracey v. Solesky* that pit bulls are inherently dangerous animals and that property owners who know, or have reason to know, of the presence of a pit bull on their property are strictly liable for injuries caused by such dogs, whether or not they know a particular dog has a history of vicious propensities; and

WHEREAS, the WOHA Board of Directors has determined that it is in the best interest of the Common Area to prohibit the keeping of pit bulls and other dangerous animals in the Common Area; and to adopt rules generally regulating the keeping of pets by Lot owners, tenants and other residents;

NOW, THEREFORE, the Board of Directors, at a duly convened meeting of the Board, after notice and an opportunity for Lot owners to comment on the proposed rules, hereby amends the Pet Policy as set forth below:

1. Pit bulls are not allowed in any portion of the Common Area. The term "pit bull" as used herein means the following dog breeds: American Staffordshire Terrier, American Pit Bull Terrier, and any other breed of dogs commonly known as a pit bull.
2. Any dangerous animal is not allowed in any portion of the Common Area. As provided by the City of Rockville Code, Section 3-4, dangerous animal means any of the following:
 - (a) Any animal that without provocation inflicts severe injury on, or kills, a human being either on public or private property;
 - (b) Any animal that, while off the premise of its owner and without provocation, inflicts severe injury on, or kills, a domestic animal.
 - (c) Any animal previously declared to be potentially dangerous and required to be registered as such pursuant to the provisions of the City of Rockville Code, that continues the behavior described in the definition of potentially dangerous animal, as evidenced by: the unprovoked infliction of moderate injury upon a human being while on either public or private property on more than one (1) occasion; the unprovoked infliction of moderate injury on a domestic animal while off the premises of the owner on more than one (1) occasion; or the unprovoked infliction of mild injury on a human being or domestic animal while at large on more than two (2) occasions within a six (6) month period.
 - (d) Any animal declared to be dangerous or like term by any other jurisdiction pursuant to definitions and standards of dangerous that are substantially similar.

4. A Lot owner, tenant, or resident who owns a pit bull or other animal shall be liable for any injury or damage caused by the pit bull or other animal and shall indemnify, defend, and hold harmless the WOHA and its officers, directors and agents, and all other Lot owners, for any injury or damage caused.

5. A Lot owner, tenant or resident must abide by all State and City animal control laws and rules.

6. No animal kept as a pet may cause noise that disturbs the quiet use and enjoyment of Lots or the Common Area by others.

7. A Lot owner, tenant or resident who allows an animal kept as a pet to defecate on the Common Area must immediately remove and dispose of the animal waste.

8. A Lot owner, tenant or resident may not allow an animal kept as a pet to cause an unsanitary, dangerous or offensive condition because of the size or number of animals kept on a single Lot or because the structure is not appropriate for the animal or properly maintained.

9. All dogs must be leashed when on the Common Area.

10. Service animals may be kept in accordance with federal, state and local fair housing law.

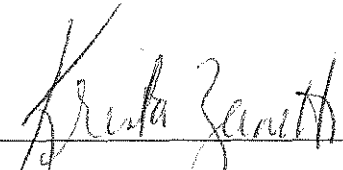
11. A Lot owner, tenant or resident who keeps an animal must register the animal with the WOHA and complete the attached Pet Registration Form or such other registration form as may be required by the WOHA Board of Directors. The animal owner shall provide a description of the animal, documentation of breed of animal and proof of liability insurance covering injuries caused by animals and other information required by the WOHA Board of Directors.


12. All dogs, and other pets that require a license, must be licensed by the State of Maryland. If any pet is found not to be properly licensed, the owner will have 15 days after being contacted by the WOHA Board of Directors to properly register and obtain a dog or pet license from the State. Failure to acquire the proper license will be reported to the local ASPCA and State authorities.

A copy of this resolution shall be filed in the Homeowners Association Depository at the Circuit Court for Montgomery County, Maryland.

The undersigned hereby certify that the foregoing Resolution was adopted by, and made a part of the minutes of the meeting of, the Board of Directors of the Association on the 21 day of October, 2013.

Woodmont Overlook Homes Association, Inc.

BY: 
Krista Zanetti, President

ATTEST: 
Nicholas Zagorski, Secretary

WOODMONT OVERLOOK HOMES ASSOCIATION
PET REGISTRATION FORM

It is required that all owners/residents register their pets with the Association. Please complete this form and mail, email or fax to the management company.

DATE: _____

UNIT OWNER/RESIDENT NAME: _____

ADDRESS: _____

HOME PHONE: _____ CELL PHONE: _____

TYPE OF PET: _____ TYPE OF PET: _____

PET NAME: _____ PET NAME: _____

BREED: _____ BREED: _____

COLOR: _____ COLOR: _____

WEIGHT: _____ WEIGHT: _____

GENDER: _____ GENDER: _____

LICENSE#: _____ LICENSE#: _____

RABIES TAG#: _____ RABIES TAG#: _____

PERSON TO CONTACT IN AN EMERGENCY

NAME: _____ RELATIONSHIP: _____

HOME PHONE#: _____ CELLPHONE: _____

VETERINARY INFORMATION

NAME: _____ PHONE#: _____

- Please attach: (1) Proof of breed of animal
(2) Certificate of liability insurance and confirmation that injuries caused by animals are covered

Return Pet Registration form to:

Adam Landsman, CMCA, AMS
Abaris Realty, Inc.
7811 Montrose Road, Suite 110, Potomac, MD 20854
alandsman@abarisrealty.com
301-468-8919