

**WATERGATE AT LANDMARK CONDOMINIUM  
UNIT OWNERS ASSOCIATION**

**POLICY RESOLUTION NO. 14**

**PET RULES**

**SEPTEMBER 25, 2018**

**WHEREAS**, Article 3, Section 3.2 of the Bylaws of the Watergate at Landmark Condominium Unit Owner's Association (WAL) assigns to the Board of Directors "all of the powers and duties necessary for the administration of the affairs of the Unit Owners Association" and provides that the Board "may do all such acts and things as are not prohibited by the [Virginia] Condominium Act or by the condominium instruments directed to be exercised and done by the Association";

**WHEREAS**, Article 3, Section 3.2 (6) of the Bylaws provides that the Board shall have the power to "Adopt and amend any rules and regulations; provided, however, that such rules and regulations shall not be in conflict with the Condominium Act or the condominium documents";

**WHEREAS**, Article 6, Section 6.8 (a) (8) of the Bylaws requires, among other things, that "All pets shall be registered with the Board of Directors and shall otherwise be registered and inoculated as required by law";

**WHEREAS**, Article 6, Section 6.8 (a) (8) of the Bylaws further states that "The Board of Directors shall have the authority to order any person whose pet is a nuisance to remove such pet from the premises"; and

**WHEREAS**, the Board of Directors deems it to be in the best interests of the Association and its members to adopt rules relating to the keeping of pets in the WAL community.

**NOW THEREFORE, BE IT RESOLVED THAT** the following Pet Rules are adopted, restated and/or amended by the Board of Directors.

**BYLAWS PROVISIONS**

The maintenance, keeping, breeding, boarding and/or raising of animals, livestock, or poultry of any kind, regardless of number, shall be and is hereby prohibited within any condominium unit or upon the common elements, except any owner or his guests or invitees may keep and maintain one or more pets provided that they do not create a nuisance to the other unit owners, and that they are not kept or maintained for commercial purposes or for breeding.

Pets shall not be permitted upon the common elements of the Association unless they are carried or leashed.

Any pet owner who keeps or maintains any pet upon any portion of the Condominium shall be deemed to have indemnified and agreed to hold the Unit Owners Association, and each of its members, free and harmless from any loss, claim or liability of any kind or character whatever arising by reason of keeping or maintaining such pet within the condominium.

All pets, and Assistance Animals\*, shall be registered with the Board of Directors (Management Office) and shall otherwise be registered and inoculated as required by law.

The Board of Directors shall have the right to order any person whose pet is a nuisance to remove such pet from the premises.

*\*NOTE: In Virginia, "Assistance Animals" are defined as service and emotional support animals.*

## **ASSOCIATION PET RULES**

### **GENERAL**

**Permitted Animals.** Ordinary domesticated house pets allowed include dogs, cats, and other pets as permitted under applicable City of Alexandria ordinances and codes. Management must have on file written authorization from a landlord allowing a tenant to keep or maintain a pet.

**Mandatory Pickup and Disposal of Pet Waste from WAL Property.** Residents are responsible for the immediate removal and proper disposal of pet and animal waste on all portions of WAL property, **including the designated pet areas.**

**Designated Pet Areas.** The Association maintains four designated pet areas. *Immediately upon leaving the building with animals, residents and pet walkers are directed to take their animals to these designated areas for their animals to relieve themselves.*

**Leashes.** Dogs are to be leashed at all times while on WAL common property. Leashes shall be extended no longer than 6-feet on WAL property. Retractable leashes are strongly discouraged from being used on WAL property, because of control issues and the potential hazard to the dog and others. Residents, guests, and dog walkers must remain in full control of the dogs at all times. It is a violation of the Pet Rules for any owner of a dog to place a dog or allow it to be placed into the custody of any person not physically capable of maintaining effective control of such dog.

**Carriage, Transport, and Handling of Pets.** All pets must be carried, transported in a pet carrier or leashed and under the control of those accompanying them at all times when outside of their units.

**Elevators.** At all times when the service elevator is available, pets must be transported in the service elevator. Pets are allowed in building lobbies only for transport to and from passenger elevators and only when service elevators are not available and must be carried, be in a pet carrier or on a leash at all times while in the lobbies. Before entering Passenger Elevators, permission from those already occupying the elevator car **MUST** be obtained.

### **REGISTRATION, TAGS, AND FEE**

**Registration – WAL and City.** All pets must be registered with the Watergate Management. It is the responsibility of the pet owner to ensure registration is completed. All pets (dogs and cats) 4 months of age or older are required to be registered and licensed with the City of Alexandria (Alexandria, Virginia – Code of Ordinances, Title 5, Sec. 5-7-38 and Sec. 5-7-38.1). Proof of current vaccinations, City of Alexandria registration, and a full-view digital photograph of pets

will be required to receive WAL pet tags.

**Pet Tag.** All dogs must have a visible and current WAL pet tag when on Association grounds or common elements, so it is recognizable that the pet is registered with the Association.

**Pet Fee.** An annual fee shall be charged to the owner of each dog domiciled at WAL. Assistance Animals are exempt from this fee.

### **PROHIBITED CONDUCT OR BEHAVIOR**

**Balconies.** Pets are not permitted on unit balconies when residents are not present in their unit. Pet urination or defecation on balconies is strictly prohibited, as is the dispersal of any pet waste from balconies. Violations of this rule shall be referred to the Covenants Committee and the City of Alexandria Animal Control Board for corrective action.

**Barking.** Pet barking or noise of sufficient volume and repetition and other disturbances constituting a nuisance or interference with other residents' peaceful enjoyment of their property are prohibited.

**Waste.** Owners of pets who permit or allow their pets to defecate or urinate in buildings at WAL, including without limitation, hallways, lobbies, elevators, stairwells, garages, and all other indoor common element spaces, shall be deemed to be in violation of the Pet Rules and will be referred to the Covenants Committee. Repeated violations of this rule may constitute grounds for removal of a pet from WAL property. In the event of inadvertent, accidental urination or defecation, the pet owner is responsible for the immediate removal and clean-up of any waste or notification of the incident to Management.

**Abuse or Neglect.** Any incident involving the abuse or neglect of a pet will be reported to Management which, at its discretion, may refer the matter to the City of Alexandria Animal Control Board or other competent authority.

**Vehicles.** Pets may not be kenneled in cars or left unattended in any vehicle.

**Cat Litter.** Residents are prohibited from putting cat litter or waste covered with litter down the toilet. This can cause significant damage to Association property and plumbing. Any resident who is found to have caused damage to Association property by violating this rule may be held liable for the costs incurred by the Association to repair the damage. **Residents must double-bag cat litter before disposing of it in any WAL waste container or by using trash chutes.**

**Feeding.** Residents shall not feed pets other than their own, unless permission has been obtained from the owner of the pet.

**Tethering.** No pet may be leashed or tethered to any stationary object on the common elements of WAL, except in an emergency.

### **NUISANCE PETS**

Article 6, Section 6.8 (a) (8) of the Association Bylaws confers upon the Board of Directors of the Watergate at Landmark Condominium Unit Owners Association the authority to order any person whose pet is a nuisance to remove such pet from the premises. Grounds for such action

may include, but are not limited to:

- Any pet that is deemed an imminent danger or hazard to residents or other pets shall be referred to Alexandria Animal Control authorities.
- Any pet whose owner has been cited by the Covenants Committee for 3 separate standing violations of Pet Rules, or which causes a unit owner to be cited by the Covenants Committee for 3 separate standing violations of Pet Rules, shall be referred to the Board of Directors for removal of the pet from the property.

#### **ADDITIONAL PROVISIONS**

**Property Damage; Injury; Disturbance.** Pet owners are responsible for any property damage, injury or disturbance their pet may cause or inflict and shall indemnify and hold the Unit Owners Association, and each of its members, free and harmless from any loss, claim or liability of any kind or character whatever arising by reason of maintaining a pet at WAL. Unit owners are responsible for the behavior of their pets or any pet kept by their tenants or guests.

**Health and Condition.** Pet owners must take reasonably effective measures to ensure their pets are hygienic, healthy and free from communicable diseases, fleas, ticks or other vermin. Any pet owner who is aware of any disease, infection or other condition affecting their pet that may pose a risk or danger to residents or other pets is required to notify Management.

**Other.** Violations of the following and other Pet Rules shall result in a referral to the Covenants Committee and the possible imposition of economic assessments or other sanctions:

- Failure to pick up pet waste deposited on community grounds, **including designated pet areas.**
- Excessive, uncontrolled or repetitive barking, whining, howling or crying.
- Aggressive behavior toward other pets or residents or interference with the freedom of movement of persons or pets on the common elements.
- Running at large off-leash.
- Pets causing unsanitary, dangerous, or offensive conditions, including the release of noxious or malodorous emanations from a unit.
- Presence with a pet on any WAL property posted as a “No Pet Area” (Assistance Animals may be exempted following a related request), including, but not limited to:
  - Indoor and outdoor swimming pools and deck areas.
  - Tennis courts.
  - Racquet Club.
  - Putting green.
  - Volleyball court.

- Playground.
- Multi-purpose Court.
- Lower Terrace.
- Indoor common element areas, including the Community Center, Marketplace and surrounding dining areas, Uni-Hair Salon, Library, Card Room, TV Room, Terrace Lounge, sauna, bathrooms, other recreational spaces adjacent to Community Center, party rooms, and any other areas of the community designated by Management or the Board of Directors as prohibited areas.
- Planter and other landscaped beds, building ellipses, landscaped, and grassy islands immediately adjacent to the front entrances of the 4 high-rise buildings at WAL.
- Any other areas of the community identified by the Board of Directors to be pet-free zones as long as they are clearly marked and posted as "No Pet Areas."

**ENFORCEMENT**

The Board of Directors confers upon Management all necessary legal authority and powers to enforce all Pet Rules of the Association.

The Board of Directors reserves unto itself the authority to enact other enforcement measures as may be deemed necessary and appropriate to assure compliance with Association Pet Rules.

Book of Minutes \_\_\_\_\_, of the Board Meeting of \_\_\_\_\_

ATTESTED:

  
 \_\_\_\_\_  
 Vivian Moran, Secretary

  
 \_\_\_\_\_  
 Eileen Greenberg, Vice President

10/2/18  
 \_\_\_\_\_  
 Date

9/28/2018  
 \_\_\_\_\_  
 Date

*Replacing PR 14 Pet Rules (December 15, 2015)*