

# Mesa Estates Homeowners Association

## Pet Policy and Procedure Pursuant to C.R.S. §38-33.3-209.5(1)(b)(IV) and the Fair Housing Act

BE IT RESOLVED, the Association hereby adopts the following procedures to be followed for enforcing policies, rules, and regulations for pet owners and their renters/guests.

### 1. Scope:

To adopt a procedure and policy outlining procedures to be followed for enforcing policies rules and regulations and other governing documents of the Association concerning eligible pet ownership. Non-eligible pets in accordance with this Policy are defined as Service Animals (SAs) and Emotional Support Animals (ESAs), and they shall follow state rules and regulations in accordance with the Fair Housing Act.

### 2. Specifics:

Residents shall be allowed but limited to a maximum of two (2) adult cats, and two (2) adult dogs (four months or older) for household pets. In no event shall the total number of adult household pets exceed four (4) animals.

No animals, livestock, birds, reptiles or insects of any kind shall be raised, bred, kept or boarded in any or on any portion of the Planned Community; except that dogs, cats or other household animals may be kept thereon if they are not raised, bred or maintained for any commercial purpose, and are not kept in such number of such manner in violation of this Policy.

The Board of Directors shall have the right and authority to determine in its sole discretion the number of pets allowed in accordance with the Associations Pet Policy and this Policy is subject to revision at the Board's discretion.

The Directors shall take such action or actions, as it deems reasonably necessary to correct the violation in accordance with the Association's Covenant Enforcement Policy and in addition to the aforementioned Policy, if deemed necessary at the discretion of the Board, uncured pet violations may result in the Board's decision to remove pets in violation of this Policy if/when the maximum capped fines are achieved without an owner curing the violation/s.

Household pets shall not be allowed to run at large within the planned Community but shall at all times be under the control of such pet's owner and such pets shall not be allowed to litter the Common Areas or on the yards of other owners. Owners are expected to clean up after their pets that litter in the Common Areas or in other Lots. Dogs shall be on leashes while in the Common Areas.

Reimbursement for damages caused by such pets and costs incurred by the Association, to include attorneys' fees and costs, in the removal of a pet or pets from the Planned Community or incurred by the Association in cleanup after such pets may be levied after Notice in accordance with the Covenant Enforcement Policy against such pet's owner as an individual assessment/fee/fine.

No dog runs or animal pens of any kind shall be permitted on any Lot except with the prior written approval of the Board.

**Agricultural Animals:** No agricultural animals of any kind are allowed in the Association. This includes but is not limited to: all poultry/chickens/roosters, ducks, geese, etc., rabbits, pigs, feeder bait/rodents and any/all exotic animals in violation of Colorado State laws, rules and regulations.

**Responsibility of Curing:** Owners are responsible for any fines that may be levied against their property due to non-compliance of their tenants.

**Dues Collection:** Non-payment of fines will fall under the Dues Collection Policy.

**Voting:** Voting rights will be suspended for any Owner who is or has been in violation of the CC&Rs in the previous thirty (30) days.

**Definitions:** Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning therein.


**Supplement to Law:** The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.

**Deviations:** The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

**Amendment:** The Board of Directors may amend this procedure from time to time.

**President's Certification:** The undersigned, being the President and/or the duly elected Director of the Association, certifies that the Board of Directors of the Association adopted the foregoing resolution and in witness thereof, the undersigned has subscribed his/her name.

## Mesa Estates Homeowners Association

  
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President

Effective Date: 11/24/2024