

**RESOLUTION OF THE EXECUTIVE BOARD OF THE RESERVE AT  
HERSHEY MEADOWS CONDOMINIUM ASSOCIATION  
ADOPTING POLICY No. 2 of 2014  
REGARDING PETS**

This Resolution is adopted by the Executive Board of The Reserve at Hershey Meadows Condominium Association on the 13<sup>th</sup> day of November, 2014 and is effective immediately.

**RECITALS**

The background of this Resolution is as follows:

R.1. The Reserve at Hershey Meadows Condominium Association (the “**Association**”) is responsible for governance and maintenance of the residential planned community commonly known as The Reserve at Hershey Meadows Condominium located in South Hanover Township, Dauphin County, Pennsylvania (the “**Community**”).

R.2. The Association exists pursuant to the filing of the Declaration of Condominium of The Reserve at Hershey Meadows, a Condominium dated May 14, 2004 and recorded in the Recorder of Deeds Office of Dauphin County, Pennsylvania on May 18, 2004 in Record Book 5505, Page 307 (as amended, the “**Declaration**”).

R.3. The Association is governed by provisions contained in the Declaration, the Bylaws of The Reserve at Hershey Meadows Condominium Association (the “**Bylaws**”) and by the provisions of the Pennsylvania Uniform Condominium Act, 68 Pa.C.S. §§3101 – 3414 (as amended, the “**Act**”). The Act, Declaration, Bylaws, and all Rules and Regulations of the Association shall constitute the “**Governing Documents**.”

R.4. Pursuant to section 3303(a) of the Act, the Executive Board of the Association (the “**Board**”) is authorized to act in all instances on behalf of the Association.

R.5. Pursuant to Article XXXII<sup>1</sup>, Section 6 of the Declaration and applicable provisions of the Act, the Association and the Board has the right to enforce the provisions of the Governing Documents.

R.6. The Board is empowered, pursuant to Article IV, Section 3.c. of the Declaration, to “adopt, amend and enforce Rules and Regulations for the use and enjoyment of the Property, and levy and enforce fines against the Owners for the violation thereof...”

R.7. The Board desires to adopt standard Rules and Regulations regarding the keeping of pets and animals in the Community. All capitalized terms herein shall have

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<sup>1</sup> Incorrectly labelled in the Declaration as Article XXII.

the meaning attributed by this Resolution or by the applicable Governing Document.

NOW THEREFORE, the Board hereby adopts the following restrictions and regulations for the Community (the "**Pet Rules and Regulations**"), which shall be binding upon all Unit Owners and their grantees, lessees, tenants, occupants, successors, heirs and assigns who currently or in the future may possess an interest in the Community, and which shall supersede any previously adopted rules or regulations on the same subject matter.

- I. **Pets.** In addition to the restrictions contained in Article XIX, Section 6.s. of the Declaration, the following shall apply to all pets and animals in the Community:
  - a. No Owner shall keep more than two (2) common household pets, such as dogs, cats, birds or similar domesticated pets.
  - b. No animal shall be kept or bred for commercial purposes.
  - c. All pets shall be registered and inoculated as required by State or local laws and ordinances.
  - d. At all times they are outside of a Unit, all pets shall be kept on a leash and under the control of an individual capable of controlling the pet.
  - e. All pet waste shall be immediately removed by the pet owner or person then in control of the pet. The waste shall be properly disposed of with the pet owner's trash.
  - f. Pet owners shall be fully responsible for all actions of the pet within the Community. All damage created by any animal is the sole responsibility of the Unit Owner of the Unit that the pet came from. This includes any pets of tenants, guests, invitees or family members. The cost of any damage to any Common Element or to the property of another Unit Owner for which the Association has the physical responsibility to maintain, repair or replace shall be billed to the Unit Owner at the actual cost to the Association plus 10% for administrative costs to the Association. Such billing shall be in addition to any fines or other penalties imposed by the Board pursuant to this or any other procedure for violating the Governing Documents of the Association. This provision shall not create any obligation on behalf of the Association that is not otherwise contained in the Governing Documents.
  - g. No dangerous or exotic animals shall be allowed within the Community. The determination of whether an animal is dangerous or exotic shall be within the sole discretion of the Executive Board. In the event the Board determines that an animal is dangerous or exotic and the Owner refuses to remove the pet from the Community, the Board shall have the right to permanently remove the pet from the Community and to charge the Owner with the cost for such removal. The

Board may fulfill this obligation by referring the matter to the appropriate government authority.

- h. All pets shall be kept in strict compliance with all Federal, State and local laws, regulations and ordinances.

## **II. Complaint Procedure.**

- a. If a pet is being offensive or if an Owner observes a pet or animal is in violation of the provisions of these Pet Rules and Regulations, the offended party should first talk with the pet owner and request correction.
- b. If the offense continues after an attempt as provided in the previous section, the offended party may file a written complaint with the Board pursuant to the enforcement procedures set forth in the Enforcement and Fine Policy of the Board, after which the Board shall process the complaint in the same manner as any other violation, except that the finding of any violation shall result in an initial fine of \$50.00 and an additional fine of \$10.00 per day thereafter until remedied.

## **III. Miscellaneous**

- a. Any Owner violating any provision of these Pet Rules and Regulations shall be subject to enforcement by the Board pursuant to the authority in the Governing Documents.
- b. Failure by the Board to enforce any provision of these Pet Rules and Regulations or any alleged violation of any provision of the Governing Documents shall in no event be deemed to be a waiver of the right to do so thereafter.
- c. The provisions of these Pet Rules and Regulations shall be independent and severable. The invalidity of any one or more of the provisions hereof by judgment or court order or decree shall in no way affect the validity or enforceability of any of the other provisions, which other provisions shall remain in full force and effect.
- d. These Pet Rules and Regulations shall be effective immediately and shall supersede any previous policy, resolution or rules and regulations adopted by the Association or the Board on the subject matter hereof.