

**ARROWHEAD AT VAIL ASSOCIATION
RULES AND REGULATIONS**

**AMENDED AND RESTATED RULE REGARDING
DOMESTIC ANIMAL CONTROL
(2013)**

Whereas Arrowhead at Vail Association ("Arrowhead") is responsible for enforcing the control of household pets (such as dogs and cats) within Arrowhead at Vail under the responsibility of the Declarations pursuant to Property Use Restrictions, Article VIII, Section 8.8:

Section 8.8 Animals and Pets. No animals, livestock, or poultry of any kind shall be kept, raised, or bred on any portion of the Property, except dogs, cats, or other household pets (the kind and number of which may be regulated, permitted, or prohibited from time to time by the Arrowhead Rules or applicable Project Documents) and except horses owned and used in connection with the equestrian operation, if any, established by Declarant or the Association.

8.8.1 Household pets, such as dogs and cats, must be contained upon the Owner's Lot or within the Owner's Condominium Unit, and such pets may not be permitted to run at large at any time.

8.8.2 Pedestrians within the Property who are accompanied by dogs must have the dogs under the pedestrians' direct control by use of a leash not to exceed ten feet in length.

NOW THEREFORE, IT IS RESOLVED THAT THE FOLLOWING DOMESTIC ANIMAL CONTROL RULES AND REGULATIONS AND PROVISIONS ("REGULATION") ARE HEREBY ADOPTED BY THE BOARD OF DIRECTORS OF ARROWHEAD AT VAIL ASSOCIATION:

I. LICENSING AND VACCINATION REQUIRED

A dog owner shall be required to show proof of licensing and vaccination or inoculation against rabies for each dog upon the request of Arrowhead Public Safety.

II. CONTROL

- A. It shall be the duty of any owner or keeper of a dog to keep such dog under control so as to prevent the dog from running at large, becoming a danger or nuisance to persons or property or trespassing on the property of another. Control of a dog means physical control of a dog by means of a leash, rope or chain no longer than ten (10) feet in length except when the dog is locating or retrieving wild game in season for a licensed hunter, or assisting law enforcement officers or participating in rescue operations, or while actually being trained for any of these specifically enumerated pursuits.
- B. A dog shall be deemed not under control when:
- a. running at large, (Running at large shall mean a dog enters the property of another person without authorization of that person, or when it enters public property, and is not under the control of the dog owner or a responsible member of the owner's family or an employee or agent of the owner, either by leash, rope, or chain not more than ten (10) feet in length);
 - b. said dog is allowed to inflict injury or damage to a person, another pet animal, or property of anyone other than the dog owner;
 - c. a female dog, during its period of estrus, is not securely confined on the property or premises of the dog owner; or if
 - d. a dog within the open portion of a vehicle parked on a common area or public place, whether restrained or not, is creating a danger to persons and/or property in the immediate vicinity.
 - e. a pet animal is allowed to defecate on public or private property and the Owner or responsible person, of the animal, does not remove the waste in a timely manner.

III. IMPOUNDING OF DOGS

- A. Arrowhead Public Safety or designated agent, Eagle County Animal Control Officer (as that term is defined Eagle County Resolution No. 2010-126 Concerning the Control, Licensing, Impoundment and Disposition of Animals (hereafter, "County Animal Control Rules")), may apprehend any stray dog or any dog found running at large or not under control and to impound such dog.

- B. Arrowhead or its designated agent, shall use reasonable efforts to contact the impounded dog's owner, if known, or if the owner of the dog is unknown, or the dog is stray, notice shall be posted at one or more conspicuous place in Arrowhead at Vail describing the dog, the place, and the time of taking. The dog owner of said dog so impounded may reclaim said dog upon payment of all costs incurred or charges imposed by Arrowhead, or its designated agent.

IV. DANGEROUS AND POTENTIALLY DANGEROUS DOGS

No dog owner shall keep a dog that has been designated as a Potentially Dangerous Animal under the County Animal Control Rules, unless said dog is confined in an enclosure or tethered on private property so as not to interfere with the common or public areas. This rule is more restrictive than the rules contained in the County Animal Control Rules, and shall control when the Potentially Dangerous Animal is present within Arrowhead.

Under the County Animal Control Rules, it is unlawful to own a dog that has been designated as a Dangerous Animal. Therefore, any dog that has been designated as a Dangerous Animal shall be removed from Arrowhead immediately. There shall be no requirement for any prior warning, notice or hearing in connection with the removal of a dog that has been designated as a Dangerous Animal from Arrowhead.

A Potentially Dangerous Animal may be off the Owner's or Responsible Person's premises only if it is restrained and under full control by a substantial leash not exceeding four (4) feet in length.

V. INTERFERENCE WITH ANIMAL CONTROL OFFICER

No person shall interfere with, molest, hinder, or obstruct Arrowhead or its designated agent in discharging his/her duties under this Regulation.

VI. THREATENING OF WILDLIFE AND LIVESTOCK

No person shall permit and/or allow a dog to run after, pursue, bite, snap at, attack or otherwise threaten wildlife and/or livestock. In the event any dog is found to have threatened any such wildlife, and/or livestock, said dog may be impounded under this Regulation.

VII. LIABILITY FOR ACCIDENT OR SUBSEQUENT DISEASE FROM IMPOUNDMENT

Neither the Board of Directors of Arrowhead, its employees or agents, or persons authorized herein to enforce the provisions of this Regulation shall be held

responsible for any act taken pursuant to this Regulation including but not limited to any accident or subsequent disease which may be suffered by a dog as a result of the administration or implementation of this Regulation.

VIII. DISTURBANCE

No dog owner shall allow a dog to bark or howl so as to disturb the peace and quiet of others.

IX. No kennel operation or other dog related business shall be permitted or licensed within Arrowhead

X. WASTE REMOVAL

- A. No owner shall allow any dog to dig or evacuate on any lawn, tree, shrub, plant, building or other property not owned by the animal's owner.
- B. It shall be the responsibility of dog owners to remove any waste materials deposited by their dog in public or common areas.

XI. PENALTIES

A. After determination by the Board of Directors, the following minimum fines and punishments shall apply to any violation of the provisions of these Rules and regulations:

- First offense: warning
- Second offense: \$100.00
- Third offense: \$200.00
- Fourth offense: \$500.00
- Subsequent offense: \$500.00

B. Any violation of any provisions of this Regulation which results in bodily injury or death to any person, game animal or pet caused by a domestic animal shall be punishable by a fine of five hundred dollars (\$500.00).

XII. ENFORCEMENT


The provisions of this Regulation shall be enforced by Arrowhead at Vail Association or its designated agent, including but not limited to Vail Associates, Inc., or any employee or officer of Eagle County. In addition to this Resolution, all provisions of the County Animal Control Rules are incorporated herein and are enforceable by Arrowhead at Vail Association hereunder. If there is any conflict

between any provision of this Resolution and a corresponding provision of the County Animal Control Rules, the more restrictive provision shall control.

This Resolution is adopted to amend and restate any prior regulations of Arrowhead at Vail Association, all of which are hereby terminated and of no further force and effect as of the effective date of this Resolution.

Resolution Adopted and effective 12/16, 2013

ARROWHEAD AT VAIL ASSOCIATION



Secretary of the Board of Directors