

TOWN SQUARE HOA PET POLICY

APPROVED ON SEPTEMBER 23, 2024

The purpose of this policy is to establish additional requirements for the health, safety, welfare, comfort and convenience of all Association members

Pet categories

- A. Ordinary Domestic Pets shall include dogs, cats, caged domesticated birds, hamsters, gerbils, and guinea pigs, aquarium fish, small turtles and tortoises, domesticated rabbits, rats, and mice, and creatures normally maintained in a terrarium or aquarium, including small size pet reptiles. All Ordinary Domestic Pets are permitted, subject to the guidelines in this Policy.
- B. Unusual Animals shall include, without limitation, those animals not generally maintained as pets including any anthropoids, felines other than domesticated cats, canines other than domesticated dogs, rodents, mammals, insects, birds other than domesticated birds, and other creatures other than those listed in Section A. above, or not maintained in a terrarium or aquarium. Unusual Animals are prohibited.

General Provisions

- C. Any Pet Owner who keeps or maintains any pet upon any portion of the Property shall be deemed to have indemnified and agreed to hold the Association, each unit owner and the Managing Agent free and harmless from any loss, claim or liability of any kind of character whatever arising by any reason of keeping or maintaining such pet within the Association.
- D. Pets must be registered in accordance with applicable city of Mesa, AZ ordinances.
- E. Pets must only be walked on side walk areas. Walking pets in the street is strictly prohibited. Pets exercising, urinating or defecating in a yard other than the owner is subject to assessment of a fine.
- F. Pet owners are responsible for the immediate removal and proper disposal of animal waste from sidewalks and common areas for sanitary purposes.
- G. All pet owners are required to maintain an acceptable noise level in regard to their pet(s) so as not to disturb other residents.
- H. Pets shall not be left unattended outside the unit, including limited common areas.

I. No pet may be leashed to any stationary object on the Common Elements.

Nuisances

The following shall be grounds for complaint and finding of a community nuisance:

- A. Pets running at large, as defined by the City of Mesa Animal Control Ordinance with Leash Law
- B. Pets damaging, soiling, defecating or urinating on, or defiling any private property (other than that of such pet's owner) or the Common areas within the Association.
- C. Pets causing unsanitary, dangerous or offensive conditions;
- D. Pets making or causing noises or sufficient volume to interfere with other residence rest or peaceful enjoyment of the property. Noise from a constantly barking dog should be reported to the HOA via the Association's Community Management partner for follow-up and action.
- E. Causing or allowing any pet to molest, attack, or otherwise interfere with the reasonable freedom of movement of persons in common areas, to chase vehicles, to attack other pets, or to create a disturbance in any other way, including scaring other residents, vicious animals are strictly prohibited.
- F. Using a vehicle as a kennel or cage.
- G. Such other behavior as the Board determines creates a nuisance.

Procedures For Solving Pet Problems

- A. Attempt to arrive at a solution to the problem with the pet owner in a courteous and helpful manner.
- B. If personal attempts at a solution fail, then a written complaint should be filed with the Managing Agent for the HOA. The complaint should document the problem as thoroughly as possible. Documentation should include identification of the pet(s) involved, identification of the owner of the pet, a complete description of the problem or disturbance, and dates and times of disturbances (whenever possible) as well as a brief description of informal attempts to solve the problem.

- C. The Managing Agent will first attempt to obtain an informal solution to the problem. If such a solution is not possible, the Managing Agent will refer the matter to the Board of Directors, which may initiate enforcement action in accordance with the provisions hereof. The Association may take legal action to have the offending pet removed upon **5** days written notice from the Board of Directors, without convening a hearing or complying with the due process procedures that may be promulgated by the Board of Directors. Such written notice will also allow the owner to apply for a hearing regarding the alleged violation prior to removal of the pet from the property.
- D. Suspected stray pets should be reported to the City of Mesa Animal Control department (for possible identification) prior to contacting the Association.
- E. All bites and attacks by pets, or diseased animals should be reported to both the City of Mesa Animal Control department and to the HOA through the Community Association partner.
- F. Penalties for violation of applicable local ordinances may be enforced by the City of Mesa without regard to any remedies pursued by the Association.
- G. In the event of an emergency (such as, but not limited to, threat posed to the life or health of a person, other pet, or property) only, the parties involved may take any actions deemed prudent to resolve the emergency without regard to the above procedures. A written report should be made to the Association.