

## RESOLUTION

WHEREAS, Section 17 (Use and Occupancy Restrictions) of the DECLARATION OF HORIZONTAL PROPERTY REGIME AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R'S) FOR SCOTTSDALE SHADOWS VII provides in part:

"No owner shall keep or maintain anything or shall suffer any condition to exist on his Unit or cause any other condition on the Property which...materially impairs or interferes with the use and enjoyment by the Owners of their Units and the Common Elements. Subject to the foregoing, commonly accepted household pets may be kept in a Unit, but no such pets shall be bred or allowed loose or unsupervised on any part of the Property. Walking of pets shall be prohibited except at such times and on such portions of the Property as the Board may permit by its rules and regulations, and all such pets shall be leashed."

Section 17 of the Declarations also provides that the Regime may modify or waive these provisions or otherwise restrict and regulate the use and occupancy of the Property and the Units by reasonable rules and regulations of general application adopted by the Board of Directors from time to time; and

WHEREAS, the Board of Directors is empowered to correct any violation of the provisions contained in Section 17 of the CC&R's at the expense of the homeowner and may levy fines upon the homeowner of up to \$50 per day for each such violation during the continuance thereof, and such fines shall be added to and constitute a lien upon the unit of the violator; and

WHEREAS, the Board of Directors is empowered to adopt rules and regulations for the management of the Regime which shall apply to and govern the occupation of the various Units and of the Common Elements by the owners, tenants, guests, and all other persons; and

WHEREAS, the Board of Directors of Recreational Center, Inc. (RCI) has designated an area in the northeast corner of Scottsdale Shadows as a sanitation area commonly referred to as a "dog run" for owners of pets that require such an area for disposal of their pets' excrement; and

WHEREAS, some residents of Regime VII object to pets traversing the grounds and other Common Elements of the Regime unless carried by their owners or other responsible adult; and

WHEREAS, the Board believes that for the health, safety, welfare, and comfort of the residents of Regime VII, a rule expressing the policy pertaining to pets should be adopted and disseminated,



NOW, THEREFORE, IT IS RESOLVED, by the Board of Directors of Scottsdale Shadows Regime VII in regular meeting assembled this 15th day of November, 1991, that the following rule is hereby adopted and established to be effective on December 15, 1991 as policy pertaining to governing pets in Regime VII:

The maintenance, keeping, boarding and/or raising of animals, reptiles, or birds of any kind, regardless of number, is prohibited within any apartment unit or upon the Common Elements of the Regime except that the keeping of one small, orderly domestic dog, cat or caged bird is permitted, subject to the Rules and Regulations adopted by the Board of Directors, provided its weight does not exceed approximately twenty (20) pounds, and provided that such pets are not kept or maintained for commercial purposes or for breeding; and provided, further, that any such pet causing or creating a nuisance or unreasonable disturbance or noise may be permanently removed from the Regime Property upon three days written notice from the Board of Directors. Pets shall not be allowed to walk or run (even on a leash) in the hallways, stairways, or other Common Elements of the Regime. Pets shall be taken to a sanitary area designated by the RCI Board of Directors in the northeast corner of the Scottsdale Shadows property. Dogs and cats must be accompanied by a responsible person and carried as long as they are on the property of Regime VII. Owners of pets are responsible for maintaining proper sanitation in regard to their pets and must immediately remove and properly dispose of any droppings or excrement from pets except in the sanitary area designated for that purpose.

Any resident who keeps or maintains a pet in an apartment unit shall be deemed to have indemnified and agreed to hold the Unit owners 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 Regime. All pets shall be registered with Recreational Center, Inc. and shall be vaccinated and/or inoculated as required by law. The Board of Directors may establish reasonable fees for registration of pets not to exceed the additional costs incurred by the homeowners resulting from the presence of such pets.

No pets shall be housed or maintained anywhere on the premises of Regime VII except in an individual apartment unit. Any dog or cat found in a building or on the grounds of Regime VII which is not accompanied by its owner or caretaker and is not registered with RCI shall be deemed to be a stray animal and will be subject to immediate confiscation and/or impoundment without advance notice to anyone.

This policy regarding pets does not apply to Seeing Eye dogs, properly licensed under the law, and possessed and maintained by a resident certified as being legally blind and requiring a Seeing Eye dog to move about, and dogs properly licensed, possessed and maintained by persons who are impaired of hearing.

FURTHER RESOLVED, that the Regime Secretary is authorized and directed to post a true and correct copy of this resolution on the Bulletin Boards in Buildings 32 and 33 of Scottsdale Shadows.