



**Canton Lofts Homeowners' Association**

c/o Majestic Reality Service, Inc

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The Board of Directors of the Canton Lofts Homeowner's Association has set the following pet policies in order to protect the rights and safety of the individual loft owners, while respecting the privileges of pet owners. The rules are based on the prevailing Texas Dog Laws and the By-Laws of the Association.

1. Not more than two pets per household approved by the Board of Directors may be kept or maintained for any purpose. All animals permitted to be kept shall be kept on a leash while in the common area and all fecal matter shall be immediately cleaned up as provided herein.

Pets must be registered with the Board of Directors within 30 days of closing or obtaining the pet.

No pets or animals shall be kept or harbored in the Community unless the same in each instance is expressly permitted in writing by the Board of Directors. No animals will be permitted in any of the public portions of the Community unless carried or on a leash. The owner shall indemnify management and hold harmless against any loss or liability of any kind whatsoever arising from or growing out of having any pet or other animal in the Community.

The Board of Directors may impose fines against the owner and/or ban any pet or other animal that does not meet these Rules and Regulations in terms of number, type and purpose.

2. No pet may be kept that poses, threatens to pose, or in the reasonable judgment of the Board of Directors may pose or create any unreasonable risk of harm to the community, nor may any pet be kept which is dangerous or know to have dangerous propensities.

The Board of Directors may impose fines against the owner and/or ban any pet or other animal that poses threatens to pose or may pose any such unreasonable risk of harm to the Community.

3. All pets allowed by these Rules and Regulations must be licensed each year to a person who is 18 years or older, such animals are required to be licensed by Dallas County or any other political subdivision having over the Community. Owners of such animals are required to submit proof of county registration to the Board of Directors. The Board of Directors may impose fines against the owner and/or ban any pet or other animal that is not so licensed.

*Pet Registration*

*All dogs and cats must be vaccinated for rabies and wear a City of Dallas registration tag. To obtain a registration tag, have your pet vaccinated by a veterinarian and present the Rabies Certificate at Dallas Animal Services (DAS), or ask your veterinarian if he/she provides this service. The annual registration fee is \$7 for spayed or neutered animals, or \$30 for unaltered animals. If your pet is not spayed or neutered, you must also obtain a special Intact Animal Permit that costs \$70 per pet per year.*

4. Pets allowed under these Rules and Regulations shall not be allowed to run at large. It is unlawful for the owner or person having charge, care, custody, or control of any dog to allow such dog at any time to run at large. The owner or person charged with responsibility for a dog found running at large shall be liable for a violation of the dog regardless of whether or not such owner knows that the dog is running at large. All pets and animals allowed by these Rules and Regulations must be under the owner's control at all times. The Board of Directors may impose fines against the owner and / or ban any pet or animal allowed to run at large.
5. Owners shall prevent pets or other animals, which they keep from attacking persons, pets, other animals, or property. It is unlawful for the owner or person having charge, care, custody or control of any dog to allow such dog to attack, chase, or worry any person, any domestic animal having a commercial value. The term "Worry" section means to harass by tearing, biting or shaking with the teeth.

An owner whose pet or other animal participates in such attack will be strictly liable for violation of this provision. In addition to being subject to prosecution under the laws and ordinances of the City of Dallas, or other political subdivision having jurisdiction over the community, the owner of such dogs, shall also be liable for damages to any person injured or to the owner of any animal injured or destroyed thereby or to the owner of any property damaged or destroyed thereby.

The Board of Directors may impose fines against the owner and/or ban any pet or other animal that participates in any such attack.

6. Owners shall not allow pets or other animals allowed by the Rules and Regulations to pose a nuisance as defined in these Rules and Regulations and in the applicable law and ordinances governing the Community. In addition to any penalties set forth in the law and ordinances of Dallas County, or other political subdivision having jurisdiction over the Community, any owner or owners having charge, care, custody or control of any pet or animal causing a nuisance shall be subject to the penalties provided herein.

For purposes of these Rules and Regulations, the following shall be deemed a nuisance:

Any animal which:

- a) Causes damages to the property of anyone other than its owner,
- b) Causes unreasonable fouling of the air by odors,
- c) Causes unsanitary conditions in enclosures or surroundings,
- d) Defecates on any public sidewalk, park or building, or on any private property
- e) Barks, whines, howls or makes other disturbing noises in an excessive, continuous or untimely fashion,
- f) Molests passersby or chases passing vehicles,
- g) Attacks other domestic animals,
- h) Otherwise acts so as to constitute a nuisance or public nuisance under the provision of Chapter 7, Dallas City Code or other applicable laws and ordinances.

Any animals, which, by virtue of the number maintained, are offensive or dangerous to the public health, welfare or safety, as determined by the Board of Directors, are deemed to be a nuisance.

The Board of Directors may impose fines against the owner and/or ban any pet or other animal that creates a nuisance as determined by the Board of Directors.

7. If any pet or animal is kept or raised in any unit or common area in violation of these Rules and Regulations or in violation of the Dallas County Ordinances, or the laws and ordinances of any other political subdivision having jurisdiction under the Community, the unit owner shall be subject to fines. The fining procedure is as follows:

Failure to comply with the Community's Legal Governing Documents creates a problem and will result in a Fine. Effective August 2011 pets found off leash and occupants not picking up waste immediately will be issued an immediate \$150.00 fine. All other pet rules violations will be held to the below fine policy. All homeowners have the right to dispute a fine. If you wish to dispute a fine, you have the right to a hearing before the Community's Board of Directors. If you wish such a hearing, you must request it IN WRITING within thirty (30) days of the date of the violation notification. You will then be advised of the hearing date, time and place. If the Owner is deemed in violation of the Association's covenants and rules after the above-mentioned meeting, or if the Owner fails to appear at said meeting, then violations will be handled in the following manner:

**First Offense** - A written notice explaining the violation will be delivered to the owner and/or resident committing the violation. The owner/and or resident will be given a minimum of 24 hours to bring the violation within compliance.

**Second Offense** - A minimum of \$75.00 fine will be assessed to the unit owner, along with any additional expenses necessary to bring the violation within compliance.

**Third Offense** - A minimum of \$100.00 fine will be assessed to the unit owner, along with any additional expenses necessary to bring the violation within compliance.

**Additional Offenses** - Fines will then double for each additional offense, but not to exceed \$500.00 per month for the same offense.

The HOA reserves the right to apply an immediate fine, to any violation deemed as an immediate and dangerous threat to the members of the community, or community property, not to exceed \$500 per month.

All fines levied pursuant to this schedule of fines shall be collected pursuant to Texas law and may become a lien against the unit.

The Board of Directors is specifically authorized to have the offending pet or other animal removed from any unit or common area, as determined by the Board of Directors. Before action is taken as provided herein, the Board of Directors must receive at least two initial complaints from owners or other residents of the Community.

8. Should the Board of Directors be required to take legal action against anyone violating any of the Rules and Regulations, the Board of Directors is entitled to recover all associated attorneys' fees and collections costs.