

# **VillaRosso Residences at DTC West Condominiums**

**Policy Resolution No. 1–2017**

## **Rules and Regulations Concerning Dog Size by Weight**

WHEREAS, Article VI, Section 6.6 of the Declaration assigns to the Board of Directors (“Board”) all of the powers and duties necessary for the administration of the affairs of the VillaRosso Residences at DTC West Condominium Association (“Association”) and provides that the Board may execute all such actions and bring forth any such rule or provision as is not prohibited by the Colorado Common Interest Ownership Act, the Declaration, or by the Bylaws required to be exercised and done by the Association; and

WHEREAS, Article VI, Section 6.6 of the Declaration provides that the Board shall have the power to adopt any rules and regulations deemed necessary for the benefit and enjoyment of the Condominium Community; and

WHEREAS, Article IV, Section 4.6(b) of the Declaration permits unit owners to keep domestic pets (e.g., dogs, cats, caged birds, and aquarium fish) subject to the limitation that no resident shall keep or maintain in excess of two dogs subject to the rules and regulations adopted by the Board; and

WHEREAS, for the health, safety, welfare, comfort, and convenience of all unit owners and residents, the Board wishes to establish uniform regulations for the keeping of dogs with regards to their size;

NOW, THEREFORE, BE IT RESOLVED THAT the following dog size policy be adopted by the Board, which replaces in its entirety Policy Resolution No. 10-2016 previous adopted by the Board:

## I. LIMITATION IN THE SIZE OF DOGS BY WEIGHT

- A. Residents may keep small, orderly domestic dogs in their units, subject to the guidelines and requirements of Article IV, Section 4.6(b) "Pets," as indicated in the Condominium Declaration.

Residents may keep not more than two dogs, whose weight must not exceed thirty-five (35) pounds each.

## II. REQUIREMENTS AND RESTRICTIONS

- A. Within 60 days of the effective date of this policy, each resident who currently has a dog or dogs must register the dog(s) with the Association using the form attached hereto as Exhibit A. Thereafter, any resident who gets a new dog, or any new resident who moves into the Condominium Community must, within 15 days of getting the dog or moving into the community, register the dog with the Association using the attached form.
- B. It is the responsibility of each dog owner residing in the Condominium Community to be aware of the growth potential of a pet whose typical adult weight will eventually exceed the weight limitation set in this resolution. Breeds that possibly can exceed the weight restriction but currently are within the allowed limitation will be permitted in the community with the understanding that when the animal grows beyond the 35 pound limitation, the animal must be removed from the property.
- C. Dogs that appear to be near or above 35 pounds will be subject to a weight certification to be conducted by a registered veterinarian in the area, or an informal weighing of the animal by a Board member or the manager. Weighing by the manager or a Board member can be required at any time and any number of times.
- D. Residents may keep dogs whose weight exceeds 35 pounds so long as the dogs are living with their owners in the Condominium at or before the time of the adoption of this resolution. As set forth above, such dog owners must submit the required registration form to the Association within 60 days of the effective date of this policy. The remaining terms of this resolution shall apply to all dogs, including those permitted to stay pursuant to this resolution.

- E. All pet owners must comply with all licensing, registrations, and inoculations required by Denver County in order to keep a pet within the Condominium Community, and the pet must display appropriate tags evidencing ownership and compliance with all required licensing, registrations, and inoculations.

### III. ENFORCEMENT

- A. If in the opinion of the manager or any Board member, a subject dog is over the prescribed weight limit, the Board will instruct the manager to request that the dog's owner participate in a weighing of the dog in the manager's office. In the event that the dog is found to be over the weight limit the dog's owner will be advised that the dog must be removed from the community within 7 days.
- B. In the event the animal is not removed from the property after 7 days, the Association shall follow its covenant enforcement policy in relation to the violation.
- C. The Board reserves all of its powers to enforce this policy, and to take any other action available under the Association's Bylaws, Rules and Regulations, and applicable law, including, but not limited to: the imposition of a fine against the account of an owner in violation; the filing of a complaint with Denver City or County; or filing suit in Denver County District Court.

This resolution shall become effective on \_\_\_\_\_.

The undersigned, as the President of the Association, certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors on July 25, 2017, and in witness thereof, the undersigned has subscribed his name.

**VILLAROSSO RESIDENCES AT DTC  
WEST CONDOMINIUM ASSOCIATION,  
INC.,**  
a Colorado Nonprofit Corporation

By: \_\_\_\_\_  
Charles Kellogg, President

**EXHIBIT A**

**DOG REGISTRATION FORM**

**VILLAROSSO RESIDENCES AT DTC WEST CONDOMINIUM ASSOCIATION**

**DOG REGISTRATION FORM**

Resident's Name: \_\_\_\_\_

Unit #: \_\_\_\_\_

Dog's Information:

Name: \_\_\_\_\_ Age: \_\_\_\_\_

Current Weight: \_\_\_\_\_ Expected Weight When Grown (if not current): \_\_\_\_\_

Breed: \_\_\_\_\_ Dog's License/Tag #: \_\_\_\_\_

The undersigned, am aware of the covenants, rules and regulations of VillaRosso Residences at DTC West Condominium Association, Inc., regarding pets, and hereby agree to abide by the same.

Resident's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**PLEASE RETURN THIS FORM, ALONG WITH A PHOTO  
OF YOUR DOG TO THE ASSOCIATION'S MANAGER**

VillaRosso Residences at DTC West Condominium Association  
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