

REGARDING ANIMALS IN THE COMMUNITY

SUBJECT: Animals in and on the Premises of the Association of Owners, Satellite Apartment Building, Inc. (the "Association")

PURPOSE: To adopt a resolution regarding animals in and on the Premises of the Association.

AUTHORITY: Condominium Declaration for Satellite Apartment Building, as amended (the "Declaration"), By-Laws of the Association of Owners Satellite Apartment Building, Articles of Incorporation of the Association (collectively, the "Governing Documents") and Colorado law.

EFFECTIVE

DATE: 1/25/2018

RESOLUTION: The Association hereby adopts the following policy regarding animals in and on the Premises of the Association (the "Animal Policy"). Unless otherwise defined in this Animal Policy, initially capitalized terms or other terms defined in the Declaration shall have the same meaning herein.

WHEREAS, pursuant to Colorado law and the Declaration, the Board of Directors for the Association (the "Board") is charged with managing the affairs of the Association, which includes adopting resolutions, policies, and rules and regulations concerning the implementation of the Declaration and the management of the community; and

WHEREAS, Section 5(h) of the Declaration provides the Board may adopt rules, which may be amended from time to time. regarding birds, cats, dogs, reptiles and other animals in and on the Premises.

NOW, THEREFORE, the Board hereby declares, adopts and approves the following regarding animals in and on the Premises:

1. Animal Rules. The following constitute the Animal Rules of the Association with respect to animals in and on the Premises:
 - i) Animals are not allowed in or on the Premises at any time unless such animal is approved in accordance with the Declaration. Depending on the animal, approval could be allowed only pursuant to the Association's Reasonable Accommodation Policy, which is set forth and incorporated herein by this reference (the "Reasonable Accommodation Policy").
 - ii) If anyone has or maintains an animal within or on the Premises and such animal has not been approved by the Board said Owner shall be subject to the penalties and fine amounts set forth in the Association's Covenant Enforcement Policy.
 - iii) All animal owners must immediately clean up after their animal, including the prompt removal of their animal's waste and excrement. Owners shall be liable for

- any and all damage to persons or property that results from the actions of their animals.
- iv) Food may not be left in any of the Association's Common Elements where it might attract other animals. Association dishware may not be used to feed animals.
 - v) No animal shall be allowed to become a nuisance or create an unreasonable disturbance, including, without limitation: (a) causing personal injury or property damage because of its unruly behavior; (b) making noise continuously and/or incessantly disturbing any person at any time of day or night; and (c) exhibiting aggressive or vicious behavior.
 - vi) If an animal becomes disruptive or destructive and is not controlled(leashed) by its owner, the Association may require the removal of the animal or may, in accordance with the Association's Covenant Enforcement Policy, fine the Owner of the Condominium Unit to which the animal is associated.
 - vii) Animals are not allowed in the following areas of the Association's Common Elements: the Association restaurant and the food preparation areas of the restaurant.
 - viii) Any guest bringing an animal to the Premises must notify the front desk upon arrival and provide the animal's name, description and expected date of departure.
2. Authority of Association Staff. The Association's directors, officers, agents, and staff members (the "Association Staff") shall be authorized to ensure that all Persons with animals comply with the provisions herein. Accordingly, the Association Staff shall be permitted to question any Person with an animal on the Premises regarding compliance with this Animal Policy; provided, however, that once an animal is determined to be kept in compliance with this Animal Policy, the Association Staff shall not be permitted to repeatedly question such Person. In the event that Association Staff determines that any Person with an animal is not in compliance with this Animal Policy, and such Person further refuses to cure said violation within a reasonable time, as determined by the Board in its sole and absolute discretion, the Association Staff shall be permitted to remove the animal from the Premises after notice and an opportunity to a hearing. In addition, the Board may fine the Owner that is associated with the animal pursuant to the Association's Covenant Enforcement Policy.
 3. Violations Subject to Penalty. The Board may enforce violations of this Animal Policy in the same manner as to any other violation of the Association's Governing Documents, including the right of the Board to levy fines pursuant to the Associations Covenant Enforcement Policy
 4. Falsifying Service Animal or Emotional Support Animal. Pursuant to Colorado House Bill 161426. effective January 1, 2017, it is a petty offense for any person to intentionally misrepresents that an animal is (i) a service animal or (ii) an assistance, companion, or emotional support animal in order to avoid pet fees or to otherwise have an animal in housing that otherwise does not allow animals. Violators of this House Bill are subject to fines and penalties. The Board has determined that it is in the best interests of the Association to follow Colorado law and, therefore, any person who violates the above House Bill shall be reported to local law enforcement and potentially subject to prosecution.
 5. Supplement to Law. The provisions of this Animal Policy shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Premises.

6. Deviations. The Board may deviate from the provisions set forth in this Animal Policy if in its sole discretion such deviation is reasonable under the circumstances.
7. Amendment. This Animal Policy may be amended from time to time by the Board.

PRESIDENT'S

CERTIFICATION: The undersigned, being the President of Association of Owners, Satellite Apartment Building, Inc., a Colorado nonprofit corporation, certifies that the foregoing Animal Policy was adopted by the Board, at a duly called and held meeting of the Board on **1/25/2018** and in witness thereof, the undersigned has subscribed his/her name.

Association of Owners, Satellite Apartment
Building, Inc., a Colorado nonprofit
corporation

By: 
Its: President

Its: President