

PROPERTY OWNERS' ASSOCIATION OF HILLTOP LAKES
DOG CONTROL REGULATIONS

WHEREAS, Chapter 204, Section 204.010 of the Texas Property Code authorizes associations acting through their Boards of Directors to regulate the use, maintenance and appearance of the subdivision;

WHEREAS, one of the reasons Hilltop Lakes is a special place to live be that all property is subject to Deed Restrictions. The intent is to:

- A. Provide for a uniform plan to preserve the image and character of the development;**
- B. Maintain the overall quality of life that has been achieved;**
- C. Encourage sensitivity between neighbors so that all may reside in harmony;**
- D. Uphold and enhance property values;**
- E. Prevent the deterioration of these desirable qualities;**
- F. Encourage responsible pet ownership; and**
- G. Prevent harm to the residents and their guests. Therefore;**

RESOLVED that the following Board Regulation applicable to all sections within the jurisdiction of the Property Owners' Association for Hilltop Lakes is hereby adopted:

P.O.A. BOARD REGULATION REGARDING DOMESTIC ANIMALS

- 1. No animals whether livestock, wildlife, bees, poultry, or even household pets shall be raised, bred or maintained on any lot for commercial purposes.**
- 2. No animals other than dogs, cats or other normal household pets of reasonable and limited number or specie may be kept on any lot.**
- 3. No owner(s) shall allow his pet(s) to become a nuisance or threat to other owners, guests or neighbors.**
- 4. If any dog, Controlled, Free-Roaming or Stray becomes a Nuisance Dog as defined herein, the person aggrieved must file a complaint at the Welcome Center, as defined in Control Procedures, Item 7, of the Regulation and this procedure will be followed.**
- 5. In the case of a vicious dog, by definition and an attack resulting in a laceration has occurred, if the owner is known, the Animal Control Officer will request the**

County Judge or J.P. to issue a warrant for the capture and delivery of the dog to an approved quarantine facility. If the owner is not known, the dog will be considered a stray, and the Animal Control Officer will capture and deliver same to a quarantine facility. Required legal procedures will be followed.

6. DEFINITIONS

OWNER: Property owner, P.O.A. employee, renter, any guest or Guest of Management (campground/villas).

CONTROLLED DOG: A dog that has an owner and a home, wears identification (rabies tag, collar or implanted chip with owner identification), is confined and under the control of the owner or authorized handler.

FREE-ROAMING DOG: A dog that has an owner and a home, wears identification, is not confined and is allowed to roam free without owner or handler supervision.

STRAY DOG: A dog that does not have a home or an owner, may or may not be wearing identification, is not confined and is running free without supervision.

VICIOUS DOG: A dog, Controlled, Free-Roaming and/or Stray that has attacked or bitten a person without provocation.

NUISANCE DOG: A dog that barks or howls causing disturbance to neighbors. A dog that chases vehicles (autos, bicycles, golf carts, etc.) may be considered a Nuisance Dog, a Free-Roaming Dog or a Vicious Dog at the judgment of the A.C.O.

7. CONTROL PROCEDURES

A. Any person who is aware of a violation of these regulations or is aggrieved by a violation should file a complaint with the Administrative Assistant at the Welcome Center. In the event of an emergency defined as: A. Aggressive dog; B. Injured dog; C. Emaciated dog, occurring at any hour of any day of the weekend and the Welcome Center is closed, the Animal Control Officer (A.C.O.) should be contacted and advised of the situation. The A.C.O. should then respond and address the situation. Should the A.C.O. for any reason, not be available, a member of the D.C.R.C, including the chairperson, should be contacted. Member list is posted on the Dog Control bulletin board outside of the Post Office. The Administrative Assistant will originate a Record of Complaint (see Attachment A), notify the A.C.O. and order an investigation of the complaint.

B. The A.C.O. will try to locate the owner of the offending dog(s). If located, the A.C.O. will issue an Incident Report (see attachment B). This report will list all of the pertinent details and include the abatement action required.

C. A copy of the Incident Report will be delivered to the Administrative Assistant's office, who will forward it to the Dog Control Review Committee (D.C.R.C.).

D. The D.C.R.C. will review the Incident Report, determine the allowable abatement period and forward that information to the owner by registered mail. The D.C.R.C. should include a warning of action to be taken in the event the owner fails to abate the violation or if there are second or subsequent violations of the same regulation.

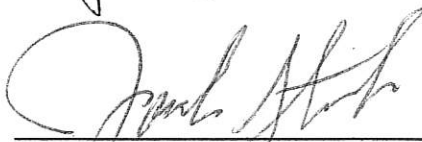
E. If the owner of the dog(s) cannot be found, it will be considered a Stray and handled as such.

F. In the case of stray dog(s), by definition, the A.C.O. will capture and confine the dog(s). Notice of the action, including pictures of the dog(s), will be posted and advertised. The dog(s) will be confined for a period of not less than seven (7) calendar days. If not claimed by the owner or an adopter, it will be delivered to the Brazos County Animal Shelter for their processing. Should the dog(s) be claimed by its owner, the owner will be charged a fee of \$5.00 per day for the confinement period.

G. Second or subsequent violations of the same regulation, as evidenced by Incident Report, will be reviewed by the D.C.R.C. who will determine action to be taken. Such action may include fine, suspension of P.O.A. membership, and/or confinement of the dog(s) as a stray.

In the event the owner contests the D.C.R. C. decision, the case will be reviewed by the G.M. or the POA Board whose decision will be final.

Approved by the P.O.A. of Hilltop Lakes Board of Directors on 24th day of April, 2013.



Jack Stork, President
POA Board of Hilltop Lakes

4/24/13

Date



W. T. Johnston, Chairman
Animal Control Review Committee

4/24/13

Date

STATE OF TEXAS)
)
COUNTY OF LEON)

Before me, the undersigned authority, on this day personally appeared Jack Stork, President of Property Owners Association of Hilltop Lakes, a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledge to me that he had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 24th day of April 2013



Dianna Mahan
Notary Public, State of Texas

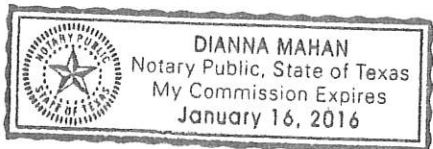
Dianna Mahan
Printed Name

My Commission expires: 01/16/16

STATE OF TEXAS)
)
COUNTY OF LEON)

Before me, the undersigned authority, on this day personally appeared W. T. Johnston, agent for Animal Control Review Committee, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledge to me that he had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 24th day of April 2013



Dianna Mahan
Notary Public, State of Texas

Dianna Mahan
Printed Name

My Commission expires: 01/16/16