



Paseo Village Homeowners Association, Inc.

by MAJORITY CONSENT

Policy Resolution Number 2022.0502.1/1

Relating to Official the “Official Adoption of a Pet Policy”

WHEREAS Article VII of the By-Laws for Paseo Village Homeowners Association, Inc. (“By-Laws”) assigns the Board of Directors (“Board”) all the powers and duties necessary for the administration of the affairs of the Paseo Village Homeowners Association, Inc. (“Association”) and states that the Board may do all such acts and things, except those matters that the Board is prohibited by law, or by these By-Laws, or by the Declaration of Protective Covenants.

WHEREAS Article VII of the By-Law provides that the directors shall exercise their powers and duties in good faith and in the best interest of the Association and its members:

WHEREAS the Board of Directors wishes to establish standards for the operation and governance of the Association that serve as guiding principles for both volunteer leaders and members of the Association; and,

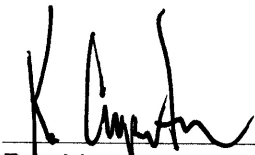
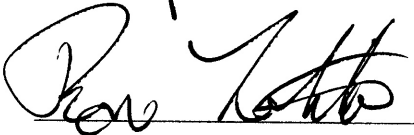
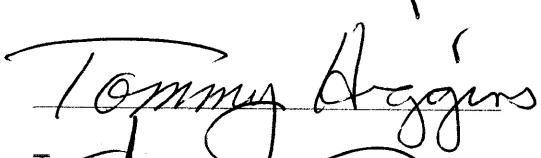
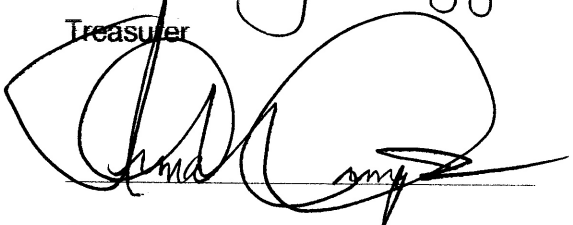
WHEREAS The Board has determined that it is in the best interests of the Association and the Association’s members to adopt “Official Adoption of a Pet Policy”

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts “*Official Adoption of a Pet Policy,*” as a guide to the relationship between the Association and its members.

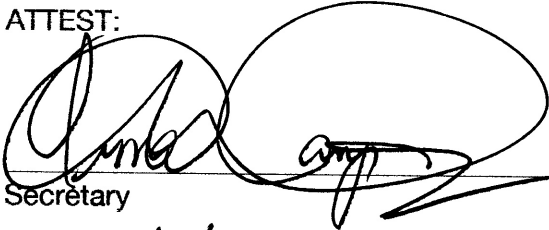
Resolution Type: Custom: Rules and Regulations – Pet Policy
Motion Number: 2022.0502.1
Resolution Number: 2022.0502.1
Pertaining to: "Official Adoption of a Pet Policy"
Duly Adopted at a meeting of the board of Directors held: May 2nd, 2022

Motion by: Kraig Carpenter

Seconded by: **RON LOTITO**

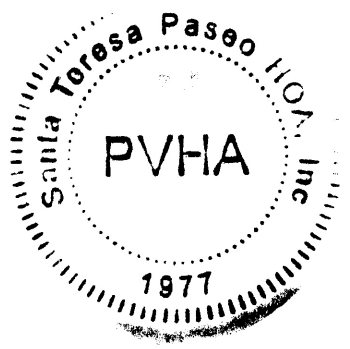
	VOTE: YES	VOTE: NO	ABSTAIN	ABSENT
 _____ President	✓	_____	_____	_____
 _____ Vice President	✓	_____	_____	_____
 _____ Treasurer	✓	_____	_____	_____
 _____ Secretary	✓	_____	_____	_____
_____	_____	_____	_____	✓
Member At Large				

ATTEST:



Secretary

Date: 5/2/22



Filed: Google Workspace Secretary File.
Book of Minutes: 2022.0502
Book of Resolutions: 2022.0502.1

Resolution 2022.0502.1 action points are:

The Resolution “Officially” establishes an expanded Pet Policy as authorized by the Covenants and By-Laws. The Pet Policy will follow NM State Law 2006 Mexico Statutes-Article 1A—Dangerous Dog, 77-1A-1 through 77-1A-6, Dona Ana County Ordinance number 266-2013 and the following:

The Pet Policy creates duties which, if breached, can be the basis of a negligence action by the Board of Directors, or an enforcement action by a member of the community bound by the same CC&Rs.

The following is the pet policy that the Association has enacted in its CC&Rs and Rules and Regulations. The main elements of this policy are:

- All dogs must be covered by a renter or homeowners’ policy of liability insurance.
- No household can have more than 3 dogs or 2 cats.
- No animal can be bred for sale or any illegal purpose.
- The Board of Directors can force a homeowner to get rid of any animal posing a threat to the health, safety, or welfare of any resident.
- Owners are strictly liable for damage or injury caused by their pets.
- Dogs must be leashed in common areas.
- Owners must clean up their pets' messes.
- Certain breeds of dog, and certain behaviors of a dog, are completely prohibited, meaning that they cannot reside at the development or even be here temporarily.

The breeds and behaviors that are prohibited include the following:

- A dog that the animal control authorities declared to be potentially dangerous or dangerous.
- A dog that bites or otherwise injures a resident.
- A dog that initiated a fight with another resident's dog.
- A dog which caused a resident to take defensive action to avoid injury.
- A dog that repeatedly violates the county's noise ordinance by barking.
- A dog that exceeds Dona Ana County standards for the size of the dog and the yard space available.
- Any of the recognized fighting dogs or large guard dogs (many of which have been entirely outlawed in different parts of the world): Akita, American Bulldog, American Mastiff, Bandog, Boerboel, Bulldog, Bullmastiff, Cane Corso, Cane da Presa, Chow Chow, Dogo Argentino, English Mastiff, Fila Brasileiro, Kangal, Neapolitan Mastiff, Presa Canario, Rottweiler, Shar Pei, or Tosa.
- Wolfdogs.
- Pit bulls and their mixes.

Here is the entire pet policy:

Pets.

Only ordinary domesticated household pets including dogs, cats, birds (in cages only), fish (in tanks), and hamsters (or like animals) kept in cages may be in any Unit. All such pets shall comply with the following

restrictions as well as those contained in the Rules. Any pet which violates these restrictions at the time this Declaration is adopted will be deemed grandfathered but when the pet dies or moves, he or she may not be replaced except by a pet that adheres to these restrictions.

A. Number. The total number of dogs that may reside in any Unit is three (3). The total number of cats that may reside in any Unit is two (2).

B. Prohibited Breeds and Characteristics. The following dogs shall not reside or be present temporarily at the Development: (a) a dog which has been declared by a public agency to be potentially dangerous, potentially vicious, dangerous or vicious; (b) a dog which has caused bodily injury to any resident of the Development; (c) a dog which has initiated a fight with any other dog belonging to a resident of the Development; (d) a dog which by its aggressive behavior has caused a resident of the Development to take evasive action to avoid being injured by the dog; (e) any Akita, American Bulldog, American Mastiff, Bandog, Boerboel, Bulldog, Bullmastiff, Cane Corso, Cane da Presa, Chow Chow, Dogo Argentino, English Mastiff, Fila Brasileiro, Kangal, Neapolitan Mastiff, Presa Canario, Rottweiler, Shar Pei, or Tosa; (f) any American Pit Bull Terrier, American Staffordshire Terrier, American Bully, Staffordshire Bull Terrier, pit bull type of dog, or pit bull mix; (g) any wolf-dog hybrid; (h) any dog that violates noise restrictions of Dona Ana County on a repeated basis; (i) any dog of a breed which when fully grown usually exceeds Dona Ana County standards for the size of the dog and the yard space available.

C. No Commercial Use. No animal living in the Development may be bred for the purpose of sale or any commercial or illegal purpose.

D. Removal. The Association Board of Directors may cause the removal from the Unit and Development of any animal which (a) in the opinion of the board poses a threat to the health, safety, or welfare of any other Resident, or (b) violates any provision of this section.

E. Liability/Indemnity. All Owners are strictly liable for any damage or injury to Persons or property caused by their pets. Further, each Owner shall indemnify, defend, and hold harmless the Association and its officers, directors, employees, committee members, manager, and agents from all claims, obligations, liabilities, damages, expenses, judgments, attorneys' fees, and costs arising from or related to his or her pets. All dogs must be covered by a renter or homeowners' policy of liability insurance.

F. Leash. Dogs shall be always kept on a physical leash when they are in the Common Areas and may not be tied to any object. The leash must comply with law, be 6 feet or less in length, and must be held by an adult who can control the dog.

G. Litter. Each Owner shall immediately remove and dispose of any litter left by his or her pet in the Common Areas or anywhere on the Owner's lot.