

Animal Policies of Heritage Oak Park – Existing Owners, New Owners and Renters

This policy is based on the Code of Laws and Ordinances - Charlotte County, Florida - General Ordinances and Special Acts - Article II - Animal Control (www.municode.com/library/fl/charlotte_county/codes/code_of_ordinances)

A. Screening and Registration

The Property Manager will present a copy of the Park policies to the owner or resident for review and signature. The Board of Directors strongly recommends that animal owners should carry liability insurance specifically concerning their animals. By virtue of owning or caring for an animal in Heritage Oak Park the owner or caregiver agrees to and shall indemnify and hold harmless HOPCA and/or the Neighborhood Association against loss or liability of any kind arising from his or her animal(s). The Board of Directors also has the authority to assess and collect amounts necessary to repair or replace any damage caused by the animal(s).

B. Permissible Animals

All unincorporated Neighborhood Declarations of Restrictions specify one dog and one cat are allowed. All Declarations of Condominium specify one dog **or** one cat is allowed. Some condominium associations have more restrictive amendments regarding animals. Owners or caregivers should make an inquiry to the condo unit's board as to its specific rules. The Board of Directors of Heritage Oak Park has adopted the policy to ban from the Park certain dogs as listed in "Attachment A" and any mixed breed that is half or more of any of the banned breeds. A signed statement from a veterinarian would determine the breed. The Board reserves the right in its sole judgment to add or remove breeds on "Attachment A."

Small caged reptiles, small caged mammals, aquariums and small caged birds are allowed.

C. Restrictions

1. Animals shall not be kept, bred or used for any commercial purpose. Per ASCPA guidelines, all cats and dogs should be spayed or neutered by six months of age unless the procedure is deemed medically unsafe by a veterinarian.

2. Animals must have inoculations and be licensed as required by law; any required inoculation or licensing tags must be worn on the animal's collar or harness at all times when outdoors. Certificate(s) required by law should be retained by the animal owner or caregiver and if requested by the Association's Property Manager or the President, must be presented to HOPCA. It is also recommended, but not mandatory, that animals have a tag with their name, address and/or phone number if practicable.

3. Animals must be confined within the owner's or caregiver's unit and must not be allowed to roam free. An animal may be tethered on the owner's or caregiver's Parcel only while in the presence of the owner or caregiver and while confined within the Parcel. Animals must not be left on lanais with no one at home. Animals in transit are to be carried, restrained by a leash (either fixed or retractable) of no more than six feet in length or placed in an animal carrier. Owners and caregivers shall not permit any animal to relieve itself within 12 feet of any building or any farther than six feet from any roadway or walkway.

4. Owners and caregivers who walk animals are responsible for immediately cleaning up after them and discarding securely bagged droppings only in the owner's or caregiver's refuse container.

5. Owners and caregivers are responsible for any damage caused by or on account of their animals. Any damage caused by cleaning products or other such materials used in an attempt to remedy said damage is also their responsibility.

6. No animal shall be allowed to become a nuisance or create any unreasonable disturbance. Examples of nuisance may include, but are not limited to:

a. Animals whose unruly behavior causes personal injury or property damage.

b. Animals who make noise continuously for a period of five minutes or intermittently for one hour or more to the disturbance of any person at any time of day or night.

c. Animals not in transit in common areas that are not under the complete physical control of a responsible owner or caregiver and on a handheld leash (either fixed or retractable) of no more than six feet in length or in an animal carrier.

d. Animals that relieve themselves on walls or floors of common areas or private property.

e. Animals who exhibit aggressive or other dangerous or potentially dangerous behavior.

f. Animals who are conspicuously unclean or parasite infested.

7. Owners and caregivers are responsible for the animals of guests who visit their unit which animals are subject to the provisions of this Policy. No animals of guests may stay in the Park for more than 14 24-hour days (consecutive or staggered) in any one-year period without prior written permission of the HOPCA Board of Directors.

D. Enforcement

1. Any resident or management personnel observing a violation of any of these rules may discuss the violation in a neighborly fashion with the owner or caregiver in an effort to secure voluntary compliance. If the complaint is not

resolved, it should be put in writing and presented to the Property Manager if he or she is unaware of the issue. If the Property Manager is in agreement with such complaint, the Property Manager shall contact the offender and attempt to resolve the matter. If the violation is not cured, the Property Manager shall take action in accordance with the Rules and Regulations and the Violation Enforcement Process for HOPCA adopted by the Board.

2. At any time, the Board of Directors may require the permanent removal of any animal, if such animal is determined by the Board or County Animal Control to be a nuisance or a danger to the community and its residents.

3. If so determined to be a nuisance or danger, the owner or caregiver must immediately isolate the animal and will have two days to remove it from Heritage Oak Park.

E. Service and Assistance Animals

Notwithstanding any provision hereinto the contrary, disabled individuals as identified under the ADA, the Federal Fair Housing Act, Section 504 of the Rehabilitation Act of 1973 and the Florida Fair Housing Act may keep service or assistance animals in compliance with the provisions of those laws and the regulations there under.

Attachment "A" –Animal Policies of Heritage Oak Park

Banned Animals

Akita

Chow

Doberman pinscher

Great Dane

Husky (Siberian or Husky Type)

Any Malamute

Any Mastiff

Pit Bull (American, PitBull Terrier, Staffordshire Terrier)

American Bulldog

German Shepherd

Rottweiler

Preso Canario

Cane Corso

Wolf or Wolf breed

Coyote

Wild Dogs

Guardor Attack dogs, including police or military dogs

Any animal bred or used for fighting

Venomous reptiles

Wild animals

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