

**FRIO COMMUNITIES IMPROVEMENT ASSOCIATION
TWIN FORKS**

STATE OF TEXAS §

COUNTY OF REAL §

PET AND ANIMAL POLICY

Pursuant to the Texas Non-Profit Corporation Act, the following Resolution is hereby adopted by the all the members of the Board of Directors (the "Board") of Frio Communities Improvement Association (FCIA) also known as Twin Forks, a Texas non-profit corporation (the "Association")

W I T N E S S E T H;

WHEREAS, the declaration of Covenants, Conditions and Restrictions for Frio Community Improvement Association aka Twin Forks (the "Declaration") recorded in Vol. 33, pages 35-38 of the Deed Records of Real County, Texas, as same has been or may be amended from time to time, ("Declaration"), and any other property which has been or may be subsequently annexed thereto and subjected to the jurisdiction of the Frio Communities Improvement Association, Inc. (the "Association")

Whereas, the association was established to be the governing body entity under the Declaration; and has the authority of make and amend rules and regulations regarding the health and safety of property owners, the use and enjoyment of the common area, the recreational common area, and the conduct thereon of the owners, their guests, invitees, members of their families or household, the protection of wildlife and the Association, the Board finds that there is a need to establish rules and regulations for animals within the Subdivision

NOW, THEREFORE, BE IT RESOLVED that the following rules and regulations are adopted by the Board for the control and maintenance of animals in the Subdivision and these rules and regulations are to be known as "Pet and Animal Policy" of the Subdivision and serve as rules and regulations in connection with the discharge of the Association's responsibilities regarding animals in the Subdivision.

POLICY OBJECTIVE. This Pet and Animal Policy has been established to provide for an orderly means of animal control in Twin Forks in an attempt to facilitate cooperation by all residents for the safety, health and betterment of the occupants, the wildlife and visitors of Twin Forks and their pets.

DEFINITION OF PET: Dog, Cat, Caged domestic animal (such as parrots, parakeets, cockatiels, cockatoo, gerbil, guinea pig and hamsters)

DEFINITION OF AN OWNER: includes a person who owns or has custody or control of an animal

DEFINITION OF CUSTODIAN: a person or agency which feeds, shelters, harbors, owns, has possession or control of, or has the responsibility to control an animal. No time limit is established. (Texas Adm. Code 169.22)

DEFINITION OF DANGEROUS DOG - A dangerous dog is defined as one that makes unprovoked attacks or acts like it's going to attack a person when it is out of the enclosure which it is being kept. (Texas state law 822.041)

DEFINITION OF A DANGEROUS OR EXOTIC ANIMAL - An animal that may pose a safety or health threat to the Owners of property in the subdivision, their guests, invitees, or tenants and includes (a) poisonous insects, amphibians, or reptiles; (b) boa constrictor reptiles; (c) animals considered "feral" or wild by nature except guinea pigs, hamsters and gerbils; (d) ferrets; (e) alligators.

Additional breeds of animals may be added to the definition of exotic or dangerous from time to time, as determined necessary by the declarant or Association Board, in their sole discretion, and The Rules and Regulations will be amended to include such breed of animal.

DEFINITION OF A SERVICE ANIMAL - a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability.

2. ANIMAL RULES AND REGULATIONS

- a. Maximum of three uncaged (cats and/dogs) and 5 caged pets are allowed per household. Any owner or tenant that has more than 3 uncaged and 5 caged pets as of Nov. 7, 2018 may not replace the pet once it is deceased. Puppies and kittens born to a household pet which exceeds the number of 3 cats and/or dogs per household may be maintained by the custodian (owner) for 8 weeks.
- b. Pets must be confined to the custodian's property and must not be allowed to roam free and may not be left unattended in any common area. Owners must accompany their pet when it is off their property and must be on a leash or caged.
- c. Property owners' are solely responsible for any damages or injuries inflicted by their pets or pets of their guests. Damage done to the common area by such pets will be replaced/repaired at the expense of the Property Owner.
- d. Excessive noise, unsanitary conditions, offensive odors, or disruptive pet behavior will not be permitted.
- e. No animal, except household pets as described herein, shall be kept or housed within the subdivision. Such pets may not be bred for any commercial purpose.
- f. All custodians are to vaccinate (and keep current) their pets against rabies virus after 4 months of age.
- g. Custodians that know that their dog is accustomed to chase or kill livestock, domestic animals or fowl may not allow the dog to run at large. This rule is congruent with Texas Health and Safety Code Chapter 822 Sub-Chapter D titled **Keeping a Dangerous Dog**
- h. (a) An owner may not leave a dog outside and unattended by use of a restraint that unreasonably limits the dog's movement: (1) between the hours of 10 p.m. and 6 a.m.; (2) in the case of extreme weather conditions including conditions in which: the actual or effective outdoor temperature is below 32 degrees Fahrenheit; a heat advisory has been issued to a local or state authority or jurisdiction; or a hurricane, tropical storm, or tornado warning has been issued for the jurisdiction by the National Weather Service.
(b) a restraint unreasonably limits a dog's movement if the restraint uses a collar that is pinch-type or choke-type or that is not properly fitted to the dog; or is a length shorter than the greater of 5 times the length of the dog, as measured by the tip of its nose to the base of its tail; or 10 feet; or is an unsafe condition or causes injury to the dog.. (Texas State Law 821, subchapter D, 821.007) This subchapter does not prohibit a person from walking a dog with a hand-held leash.
- i. No livestock, poultry, exotic, wild or dangerous animal of any type may be raised, bred or kept on any property with the subdivision.
- j. The only service animals allowed are those described by the definition herein this document. A service animal (dog) is included in the total amount of pets per household.

- k. All rules set forth by this policy shall also apply to pets and/or whose custodians are guests of property owners.
- l. Indemnification Any property owner or their guest who causes an animal to be brought or kept within the Subdivision shall indemnify and hold harmless the Association for any loss, damage or liability which the Association may sustain as a result of the presence of such animal within the Subdivision. The custodian shall be responsible for repairs of any and all damage or loss resulting from the acts of his or her animal while kept with the subdivision
- m. Reporting of any violation should be accompanied by a picture and/or a written report with at least 1 witness signing such report and dated and submitted to the Board.
- n. A fine may be levied against any property owner who is a custodian of a pet or animal if this policy is not followed. Fines may be issued by a vote by the board and are posted. A lien may be placed on the property for non-payment of fines. Any attorney fees associated with collecting fines will be the responsibility of the property owner.

IT IS FURTHER RESOLVED THAT, this Pet and Animal Policy replaces and supersedes in all respects all prior resolutions with respect to rules and regulation effecting animals by the Association and is effective November 7, 2018, to remain in force and effect until revoked, modified or amended by the Board.

I hereby certify that, as Secretary of Frio Communities Improvement Association, Inc. the foregoing Pet and Animal Policy was approved on the 27th of October, 2018, at a meeting of the Board of Directors at which a quorum was present and approved by not less than a majority of the Board members in attendance.

IN WITNESS WHEREOF, I have hereunto subscribed my name this the 14 day of November, 2018

Judy Jones
 Print Name JUDY JONES

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BEFORE ME, on this day personally appeared Judy Jones, the Secretary of Frio Communities Improvement Association, Inc. known by me to be the person whose name is subscribed to the instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed and in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal of office, this 14 day of November, 2018.

Carrie Pendley
 Notary Public – State of Texas

