

Villa Madeleine Resort Condominium Association (“VM”) Rules & Regulations Final Revisions, February 2023

Appendix A

Pet and Feral Population Rules and Regulations

The adoption of this policy supersedes all previous VMRCA Pet Rules and Regulations policies. Any pet with VMRCA Board approval previous to this date, will be “grandfathered.” This policy focuses on the regulation of pet and owner behavior rather than specific pet characteristics in order to create a courteous and clean environment within the Villa Madeleine community for all owners. In addition, this targeted policy will enable the VM Board to be better able to enforce its rules and regulations as they pertain to pets.

A. Registration

Pet Owners must complete, sign and submit to the VMRCA Board a Pet Registration Form before the pet can begin occupying any VM unit/villa. The Board will maintain a file of these registration forms. Pertinent information from these forms will be compiled and shared with the VMRCA Property Manager. This information is being provided to the Property Manager so that residents and their pets can be assisted should the need arise.

Pets may only be kept by Unit Owners and long-term Renters (residing for a minimum of 6 months). Longterm Renters are limited to one pet and will require the express written permission of the Unit Owner before registering their pet. Unit/Villa Owners that wish to grant permission to have pets must provide the Board with a signed and dated letter granting permission, which includes the lease start and end dates, the full name(s) of the Renter(s), as well as the name of the pet. The Villa Owner is to submit the letter together with the completed Pet Registration Form. Long-term renters with pets will be expected to abide by the same rules and regulations that govern owners. The owner of the unit/villa will be held liable for any infraction of the Rules and Regulations as well as for any damage caused by a Renter’s pet.

B. Permissible pets shall include only dogs and cats. Owners are permitted to keep only one pet per unit. Owners may petition the Board for permission to keep a second pet. Should permission for a second pet be granted, that permission only extends to the lifetime of that pet. Upon passing, any additional pets will require that the petitioning process for approval start anew.

1. All cats and dogs must be spayed or neutered by the latter of the date of registration or the pet attaining six months of age. If your veterinarian has deemed the procedure medically unsafe, documentation stating it is medically unsafe must be submitted along with the Registration Form. If you are the owner of an AKC recognized breed with established breeding rights, VMRCA will allow for a spay/neuter exemption if a copy of the pet’s AKC Certification indicating “Full” registration is submitted with the registration form. It is to be understood that no pet shall be kept, bred or used for any commercial purpose within the confines of the VMRCA community.

2. All dogs and cats with a medical or breeding rights exemption from spaying and neutering must be confined to the pet owner’s unit and must not be allowed to roam free or be tethered unattended at any

time, extra precaution is expected of the owner. All dogs and cats with a medical or breeding rights exemption from spaying and neutering must not be left unattended on pool terraces.

3. Owners MUST keep pets under control at all times. Pets in transit are to be carried, restrained by a leash, or placed in an animal carrier. While walking pets along pathways within the VM community, leads must maintain a maximum length of six feet. While allowing pets to relieve themselves within the immediate vicinity of your villa, a retractable leash may be extended to twelve feet temporarily so long as others are not nearby. The pet must not be permitted to move beyond the exterior sidewall of an immediate neighbor's villa/unit until the leash has been returned to a maximum of six feet in length. When exercising your pet in the lower green area, retractable leashes may be extended so long as other pets, staff, residents or guests are not visibly occupying the same area. Dogs may never be permitted to roam free nor be tethered anywhere or at any time within the confines of VMRCA property.

4. Persons who walk pets are responsible for IMMEDIATE clean up, removal and proper disposal of animal waste. All animal waste including cat litter shall be tightly sealed in a plastic bag and placed within the owner's/renter's sealed household trash bag prior to being placed in an outside trash receptacle. Animal waste including cat litter must never be placed in the outside trash receptacles until it is double bagged within a second sealed plastic household trash bag.

5. Pet owners shall indemnify the Villa Madeleine Resort Condominium Association and hold it harmless against loss or liability of any kind arising from their pet(s).

6. Owners are responsible for any damage caused by pets living within their unit. This includes damage on the interior or exterior of any unit and all common properties within the VM community. Any damage caused by cleaning chemicals or other such materials used in an attempt to remedy said damage is also the full responsibility of the pet owner.

7. No pet shall be allowed to become a nuisance or create any unreasonable disturbance.

Examples of nuisance behavior include:

- a. Pets identified as making excessive noise for extended periods of time.
- b. Pets whose unruly behavior causes personal injury or property damage.
- c. Pets who relieve themselves on walls or paths of common areas.
- d. Pets which exhibit aggressive or other dangerous or potentially dangerous behavior.
- e. Pets in common areas, other than the lower green, which are not under the complete physical control of a responsible human companion and on a hand-held leash of no more than six feet in length or in a pet carrier.
- f. Pets who are conspicuously unclean, parasite infested or diseased.

8. Owners are responsible for the pets of invited guests who visit their unit/villa; such pets are subject to the same rules and restrictions as resident pets.

Based on the general recommendations of two on-island, non-profit, animal welfare organizations (St Croix Animal Welfare Association and Cruzan Cats), a small feral cat colony of neutered/spayed cats will be permitted to move through our community unencumbered. At this time 7 cats have been identified to reside/roam freely within and outside our borders. All have been previously spayed/neutered by Good Samaritans at no cost to VMRCA and have received basic vaccination. No additional spayed/neutered feral cats may be released/intentionally introduced into this colony by any owner/renter/guest without the written permission of the VM Board. Please note: a spayed/neutered feral cat will have the tip of one ear (typically the left) clipped/removed by the veterinarian in conjunction with the spay/neuter

procedure. A document including photos of all 7 cats together with identifying information is posted at the guard shed. It is a known fact that feral cats on island help control the rodent population and can be a benefit to communities such as ours. Feral cats are not to be permitted to enter units/villa by any owner, renter or guest. Owners/renters/guests are encouraged to keep car windows rolled up when parking within the Villa Madeleine community. Owners/renters/guests are discouraged from making physical contact with these or any feral cats. It is to be understood that approaching these cats is at one's own risk. Minor supplemental feeding of these neutered/spayed cats is permissible, however, any container holding or previously containing food must be removed daily post feeding, kept clean and in an unobtrusive location.

Feral kittens/cats that are NOT immediately identifiable as neutered/spayed and all feral puppies/dogs should be reported to Property Manager (via Buildium) and in consultation with the Board so that humane capture can be arranged with one of the island's animal welfare agencies. Feral cats trapped on VMRCA property will be handled as per the no-cost TVNR (Trapped, Neutered, Vaccinated, Released) Program employed by local humane societies. As stipulated by the program, unadoptable adult cats are to be re-released at the same location from which they were caught post treatment. Engaging in activities such as relocating previously neutered animals and releasing TNVR animals in locations other than where they were found is not permitted. VM Owners who have spotted an unneutered feral and are willing to abide by the rules of the TVNR Program are welcome to temporarily sign out the cat trap located in the guard shed. If an unneutered/spayed feral is successfully caught, it should be reported to Property Management via Buildium as well as to the Board (together with a cell phone photo identifying the animal) before transport off property. Please be mindful that you may be trapping someone's pet and that a microchip might be located while at the Humane Society.

D. Owners who wish to participate in the St. Croix Animal Welfare Center's "Foster" or "Pets from Paradise Program" and wish to temporarily foster a canine or feline may submit a request via email to the Board. "Fostering" of an animal within a unit for a period up to 8 weeks will be considered. If additional fostering time is needed an extension may be requested in writing. If Board permission is granted, the owner is required to inform Property Management via Buildium of the animal's arrival and departure from VM property. Owners fostering pets as part of these established programs will not be required to register it, but will be required to abide by the same Rules & Regulations governing personally-owned pets.

E. Enforcement

Any owner or property management personnel observing an infraction of any of these rules shall discuss the infraction in a neighborly fashion with the pet caregiver in an effort to secure voluntary compliance. If the complaint is not resolved, it must be put in writing and sent via email to the VM Board of Directors. If the Board is in agreement with such complaint, the pet owner will receive written notice of the violation. If upon 3 violation notifications the problem is still unresolved, arrangements will be made for a hearing. At the Board's discretion, immediate arrangements for a hearing may be made if the nature of the complaint involves personal injury or the imminent threat thereof. The Board of Directors may require the permanent removal of any pet, if such pet is determined by the Board to be a nuisance or a danger to the housing community and its residents.

If so determined, the Board will adjudicate the number of days the caregiver will have to remove the pet from the premises. Infractions of these rules and regulations which move beyond the warning phase and into the violation phase thereby requiring action by our Property Management team will be assessed a per diem fee of \$75 payable by the Villa Owner.

Effective Date: January 12, 2022