

**COUNCIL OF UNIT OWNERS
Rock Creek Gardens Condominium
Silver Spring, Maryland
COMMUNITY RULES AND REGULATIONS**

<i>Rule No.</i>	<i>Title:</i>	<i>Effective Date:</i>	<i>Page</i>	<i>No of pages</i>
7	Pets	07/11/2019	1	2
<i>Bylaw Reference(s)</i> Article XI, Section 6		<i>Maryland Condominium Act Reference(s):</i> Section 11-111(d)	<i>Montgomery County Code Reference(s):</i> Chap 5 Sec 5-201 thru 203 & 5-301 thru 305	

7-1. PURPOSE

This rule establishes policies and procedures governing the keeping of domestic pets within the community.

7-2. POLICY

- a. Residents may keep and maintain a dog or cat, or caged birds limited to one cage per [unit](#). Fish may be kept in any number, subject to a limitation of one aquarium of 20 gallons or less per unit.
- b. The following specific prohibitions apply:
 - (1) The keeping of any kind of fowl or farm animal is expressly prohibited, as is the keeping, breeding, boarding, or raising of animals of any kind for commercial purposes, as food sources, or reasons other than personal enjoyment.
 - (2) Any animal that has been declared dangerous by the State of Maryland or Montgomery County may not be kept in any unit or anywhere on the [general common elements](#).
- c. No temporary or permanent enclosure intended to house, or to restrict or contain the movement of any pet, may be erected anywhere on the general common elements.
- d. Pets must be leashed or carried on all parts of the general common elements at all times, to include stairwells, landings, sidewalks, walkways, and grassy areas. Violations are subject to a \$25 fine for each violation, in accordance with [Rule 15](#).
- e. Pet owners are responsible for controlling the actions and behavior of their pets to ensure the safety and well-being of residents, staff, visitors, and other pets. Pet owners must also take reasonable and appropriate action to ensure that residents of neighboring units are not deprived of the right to peaceably enjoy their units because of excessive barking, pet odors, or other nuisance behavior. Violations are subject to an initial fine of \$25 and a \$50 fine for recurring violations, in accordance with Paragraph 7-4b and [Rule 15](#).
- f. Pet behavior that is manifestly dangerous or aggressive, such as attacking, biting, clawing, or lunging at any human being or other pet is subject to a fine of \$100 and possible removal from the property, in accordance with Paragraph 7-4c and Rule 15.
- g. With the exception of dogs that are certified and specifically trained to provide assistance to handicapped persons, pets may not be brought inside the pool enclosure nor may they be brought onto the grassy area comprising the gazebo and picnic green in the main courtyard.
- h. Pet owners must immediately remove any feces dropped on any part of the general common elements, place it in a bag or other suitable container, and deposit it in any of the marked "pet waste only" receptacles. Violations by identifiable residents are subject to a \$50 fine for the first violation and \$100 for each subsequent violation, in accordance with [Rule 15](#).

Rule No.	Title:	Page	No of pages
7	Pets	2	2

7-3. PET REGISTRATION

- a. A dog or cat must be registered with the [Council of Unit Owners](#) annually, as part of the annual [community census](#).
- b. New residents having a dog or cat must register the pet, subject to the provisions of Paragraph 7-2a, with the [on-site office](#) within 30 days of occupancy. Current residents must register any newly acquired dog or cat within 30 calendar days. The on-site office must also be informed when a registered pet is no longer kept on the property. The on-site office will maintain up-to-date pet registration information in a database created and maintained for that purpose.
- c. In addition to the registration requirement, pet owners are personally responsible for ensuring that each dog or cat is licensed and inoculated as required by applicable state laws and county code. A current Maryland pet license number and rabies tag number must be included on the pet registration form.
- d. As part of the pet registration process, each pet owner must indemnify and hold harmless the Council of Unit Owners, Board of Directors, unit owners, the [management agent](#), and on-site manager from any lawsuit, claim, or liability of any kind or character whatever arising by reason of maintaining a pet within the community.
- e. Should a resident fail or refuse to register a dog or cat as required by this rule, or keep pets beyond the numbers and types specified in the Bylaws and this rule, the [Board of Directors](#) will notify the pet owner of the noncompliance in writing and demand compliance within 30 days. If the pet owner is a tenant, a copy of the correspondence will also be provided to the unit owner and/or owner's agent. If the noncompliance continues after the 30-day grace period, the Board of Directors will conduct a hearing on the matter, and if the noncompliance is sustained, the unit owner of the affected unit will be assessed a fine of \$50 and subsequent fines of \$100 per month for each month or portion of any month in which the pet remains unregistered.

7-4. COMPLAINTS

- a. Pet-related complaints must be delivered in writing, electronically or otherwise, to the [on-site office](#) and include sufficient information regarding the time, date, and nature of any alleged offense(s), incident(s), or behavior to enable the Board of Directors to identify the pet and pet owners, evaluate the information, and take appropriate action.
- b. The Board of Directors will conduct a hearing in accordance with [Rule 15](#) on the merits of all complaints and, if a complaint is sustained, may impose the fines described above for failure to register a pet, keep pets beyond allowed numbers and types, or to clean up pet droppings. A fine of \$25 will be assessed for other pet-related violations. All duly assessed fines will be applied to the unit owner's account.
- c. In cases where a pet is found to be a chronic nuisance or a demonstrable safety threat, the Board of Directors, after a hearing, may direct the permanent removal of any such pet from the community.
- d. Nothing in this paragraph or elsewhere in this rule prevents a resident from also pursuing action or remedies under provisions of the Montgomery County Animal Control Ordinance (cited above) through the Montgomery County Police Department Animal Services Division.