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AMENDMENT

TO

OCTOBER 15, 2008

RULES & REGULATIONS

APPROVED BY

LINDEN PARK CONDOMINIUM ASSOCIATION

AT ITS FALL MEETING ON

OCTOBER 25, 2016

AMENDMENT TO
RULES AND REGULATIONS, dated Oct 15, 2008,
INTRODUCTION, PAGE 4, PARAGRAPH 8,
"NON COMPLIANCE TO THE RULES AND REGULATIONS WILL RESULT IN A CITATION FOR NON COMPLIANCE, FINE AND ORDER TO COME INTO COMPLIANCE".
AS IT RELATES TO NO DOGS IN LINDEN PARK,
PETS, PAGE 14, PARAGRAPH 2

EFFECTIVE OCTOBER 26, 2016

CITATION

The unit owner that is not in compliance will receive a letter from the Board of Directors stating the infraction and asking the unit owner to come into compliance immediately. The unit owner must respond to the Board of Directors, in writing, within seven (7) days of receiving the letter. If the unit owner fails to respond or indicates non-compliance, the board will immediately invoke the Fine/Penalty. The unit owner must comply with the Restrictions and abide by the Enforcement procedure.

FINES/PENALTIES

1) Any current non-compliant unit owner that has a dog after 25 October 2016, will be assessed a monthly fine/penalty of $50.00. This monthly fine/penalty will continue until the unit owner comes into compliance with our Rules and Regulations, PETS, page 14, dated October 15, 2008.

2) Any current and/or new unit owner, who disregards our Rules & Regulations, and acquires a dog, keeping it in the Linden Park community, will be assessed a non-refundable pet deposit of $500.00 per dog. This deposit must be paid at the time of occupancy of the dog. Also, a monthly fine/penalty of $200.00 per dog will be added to the association dues of the owner. This monthly fine/penalty will continue until the unit owner comes into compliance with our Rules and Regulations, PETS, page 14, dated October 15, 2008.

3) The Fines/Penalties do not apply to service animals as described by the Americans with Disabilities Act (ADA), September 15, 2010, and assistance animals as described in HUD's Notice on Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-funded Programs, issued April 25, 2013.
Service animals are defined as dogs that are individually trained to do work or perform tasks for a person with disabilities.
An assistance animal is not a pet. It is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability.

RESTRICTIONS

1) No pets taller than 12 inches (at the shoulder) are allowed in Linden Park at any time. This restriction does not apply to service animals and assistance animals.
2) All pets must be confined to the pet owner's unit and must not be allowed to roam free, be tethered, or be left unattended in the Limited Common Areas or Common Areas.
3) All pet owners are responsible for immediately cleaning up pet waste and discarding the securely bagged waste in the appropriate manner.
4) No pet shall be allowed to become a nuisance or create any unreasonable disturbance. Examples of nuisance behavior are:
   a) Pets whose unruly behavior cause personal injury or property damage.
   b) Pets who make noise continuously and/or incessantly for a period of ten (10) minutes or intermittently for one (1) hour or more to the disturbance of any person at any time of day or night.
   c) Pets in Common Areas who are not under the complete physical control of a responsible person and on a hand-held leash or in a pet carrier.
   d) Pets who relieve themselves on walls, driveways, streets, sidewalks or other unit owners lawns.
   e) Pets who exhibit aggressive or other dangerous or potentially dangerous behavior.
   f) Pets who are conspicuously unclean or parasite infested.
5) All pet owners shall indemnify the association and hold it harmless against loss or liability of any kind arising from their pet(s).
6) All pet owners must have the following and provide evidence thereof upon request:
   a) Veterinary certificate of health for the pet with evidence of vaccinations.
   b) Insurance that includes pet liability coverage.
   c) Proof of pet registration as required by the city of La Crosse and by La Crosse County.
   Any pet that is required to be licensed or vaccinated must wear current tags at all times. The pet owner must keep all records current, and provide updated documentation upon request by the Board of Directors.
7) **Unit owners are responsible for pets of guests who visit their unit. Such pets are subject to all of the above "RESTRICTIONS".**
   Any visiting pets staying more than one (1) day must have prior approval from the Board of Directors.
   Visiting pets not wearing current tags must be removed from Linden Park immediately.
8) Owners of service animals and assistance animals must abide by these same restrictions.

ENFORCEMENT

Any unit owner observing an infraction of any of these restrictions, may discuss the infraction in a neighborly fashion with the pet owner in an effort to secure voluntary compliance. If the complaint is not resolved, it must be put in writing, signed, and presented to the Board of Directors. If the board is in agreement with such complaint, the pet owner will receive written notice of the violation.

If upon the second violation 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 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 Linden Park community and its residents.

If so determined, the pet owner will have five (5) days to remove the pet from Linden Park. The Association has the authority to assess and collect fines for violation of the restrictions pertaining to pets and to assess and collect amounts necessary to repair or replace damaged areas or objects.

If a unit owner fails to pay the assessed fine/penalty within 30 days of the assessment date, the Association will file a lien against the unit owner. If the unit owner continues to be delinquent, the Association will file small claims action against the unit owner and pursue collection action on on the judgment.

REFERENCE DOCUMENTS

Americans with Disabilities Act (ADA) for title II and title III, dated September 15, 2010
HUD's Notice on Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-funded Programs, issued April 25, 2013.
Humane Society of the United States - "Recommended Pet Policies for Condominiums and Apartment Buildings"
La Crosse County Public Health & Human Services - "Animal Regulations"
Alamo Area Partners for Animal Welfare - "Dangers of Dog Poop"

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