

**DEER RUN HOA REGULATIONS FOR ALLOWABLE PETS
AND
INSTALLATION/USE OF ELECTRONIC (INVISIBLE) FENCING SYSTEMS¹**

This Rule is adopted pursuant to the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements of Deer Run Homeowners Association, recorded October 18, 2016 in Reception No. 216120730 of the real property records of El Paso County, Colorado

The Deer Run HOA supports the ownership of pets within our neighborhood. Given the open-landscape, open-access design of Deer Run, and the smaller size of our lots it is important that certain limits be placed on the number and types of pets which are allowed per household. (Deer Run Amended and Restated Declaration & Covenants, Sections 3.16). In addition, due to our limits on types of traditional fencing, controls on the use of invisible fencing within the neighborhood are also required (Deer Run Amended and Restated Declaration & Covenants, Sections 3.16 and 3.13).

Rules regarding the number, size and registration of pets do not apply to pets already living within the neighborhood as of 20 September 2018.

1. **NUMBER AND SIZE OF PETS** – Each residence may have up to three (3) household pets such as cats and dogs. This limit does not include small indoor pets such as birds and hamsters. Other exotic pets such as pigs and goats are prohibited.
 - a. No more than two (2) pets may be dogs over thirty (30) pounds adult weight. Owners may be required to provide statements from their veterinarian affirming the adult weight.
 - b. Homeowners (current and future) are required to inform the Board when new household pets are being brought into the home. The notification should include details about the breed, its color, and its adult height/weight. This does not apply to pets who are temporarily residing (<30 Days) at the homeowner’s residence.
 - c. Per Colorado Springs ordinance, homeowner and tenants must ensure dogs and cats have a Colorado Springs Pet License and a current rabies vaccination. Additionally, homeowners and tenants must carry liability insurance which covers their dogs. Homeowners and tenants must be able to provide evidence of licensing, vaccinations, and insurance upon request by the Board.

2. **REGULATION OF DOGS**
 - a. All dogs shall be leashed when outside the homeowner’s property.
 - b. Owners are required to immediately clean up all excrement left by their pets on any property within Deer Run.
 - c. Pet owners must on a weekly basis, clean up and remove all pet excrement from their lots.
 - d. No dog shall be permitted to create a nuisance or pose a threat to others.
 - e. The owner of a dog agrees that the Association shall have the right to demand the removal of a dog if there is a violation of the Declaration, this Regulation or future Regulation. In addition, homeowners may be subject to fines for violations of this Regulation. (Rules and Regulations – Policies and Procedures of Deer Run, August 2018)
 - f. Homeowners are responsible for compliance and fines of their tenants, occupants, and guests.
 - g. The owner of the registered dog hereby releases the Association, its agents and representatives, from any claims regarding such dog and shall indemnify and hold the Association, its agents and representatives, harmless from any and all liability for the dog's activities, including without

¹ V3.2_2018.10.10

limitation, any noise, damages, bites or injuries caused by the dog and for any enforcement of this Regulation, injuries, damages, claims or expenses, including without limitation reasonable attorneys' fees, relating to the dog.

3. **ELECTRONIC (INVISIBLE) FENCING** - All plans for installation of electronic fencing must be approved by the HOA Board of Directors, acting as the Architecture Control Committee (ACC), prior to start of installation. Electronic fencing may only be installed in the rear-half of a lot and may be used as an unsupervised pet area under the conditions listed below. Current homeowners, who have electronic fencing in their front yards, may continue to use it under the conditions listed below. When these homes are sold, the new homeowners, if they wish to use the electronic fencing, must reconfigure the fencing to only cover the rear-half of the lot.
 - a. The use of electronic fencing is considered a privilege. A homeowner, whose dog is overly aggressive, loud, threatening or is otherwise a nuisance will no longer be allowed to use electronic fencing for restraining their dog. Such a determination is strictly reserved for the Board.
 - b. Repeated threatening or obnoxious behavior will result in the dog being banned from the neighborhood.
 - c. Failure of the electronic fencing to control a dog may result in either revocation of the privilege of using electronic fencing, banning the dog from the neighborhood, or both.
4. **INSTALLATION OF ELECTRONIC (INVISIBLE) FENCING**
 - a. Wiring and electrical connections will be placed as inconspicuously as possible when viewed from all angles.
 - b. In keeping with community aesthetics, the color and components (exposed panels, control boxes and other apparatus) must be approved by the ACC.
5. **DOCUMENTS NECESSARY FOR ACC REVIEW OF ELECTRONIC (INVISIBLE) FENCING**
 - a. A design document, drawn to scale, showing where on the home/lot the system and its components will be installed.
 - b. Description of the type fencing to be installed.
6. **MAINTENANCE AND UPKEEP OF ELECTRONIC (INVISIBLE) FENCING**
 - a. All electronic fencing and components must be maintained in good repair.
 - b. Unused or inoperable fencing (other than underground components) must be removed and the home returned to its pre-fencing state/condition.

The Deer Run ACC will provide either: a) approval of proposed installation, b) approval with required modification of plans, or c) disapproval with rationale. This decision will be based on the extent to which the proposed installation meets the requirements of this regulation as well as consideration of its placement on the property and its effects on surrounding properties and pedestrian traffic.