

Appendix A

Villa Madeliene Resort Condominium (VMRCA) 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.”

A. Application and Registration

Pet Owners must complete, sign and submit to the VMRCA Board a Pet Application Form together with a veterinarian’s statement indicating the general health of the animal (in the case of a dog such statement shall include breed or breed mix) and such Application must be approved in writing by the VMRCA Board before the pet can enter upon the VMRCA property or begin occupancy in any VM unit/villa. Upon VMRCA Board approval of a Pet Application, it shall be marked as Approved and serve as the Pet Registration. VMRCA Board will maintain a file of the approved registration forms and may opt to post Pet Registrations on the HOA website and shall be shared with the VMRCA Property Manager. Pets may only be kept by Unit Owners. Renters shall not be permitted to keep pets.

B. Permissible pets

Shall include only dogs and cats. Owners are permitted to keep only one pet per unit/villa. Dogs likely to exceed 50 pounds at full size shall not be permitted within the VMRCA property.

1. It is to be understood that no pet shall be bred or used for any commercial purpose within the confines of the VMRCA community.
2. All dogs or cats must be confined to the pet owner’s unit unless in transit or being walked on a leash as noted below. Dogs must never be allowed to roam free or be tethered unattended or 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 shall not exceed 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 four 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 must 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 cannot 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.

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 area 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:

- Pets identified as making excessive noise for extended periods of time (15 minutes or more).
- Pets whose unruly behavior causes or threatens to cause personal injury or property damage.
- Pets who relieve themselves on walls or paths of common areas.
- Pets which exhibit aggressive or other dangerous or potentially dangerous behavior.
- Pets in common areas 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. Except that retractable leashes may be extended in the lower green area beside the sewer plant.
- Pets who are conspicuously unclean, parasite infested or diseased.

8. Invited guests of Owners shall not be allowed to bring pets to a unit/villa or onto VMRCA property.

C. 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 vaccinations. 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 VMRCA 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 to indicate spayed/neutered. 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 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. While holding trapped cat or dog, animal shall always have access to water, be kept in a shaded area NEVER LEFT UNATTENDED IN THE SUN OR HOT VEHICLE FOR ANY AMOUNT OF TIME OR REASON. Placing a lightweight towel or cloth over cage while ensuring ample air flow for animal in cage keeps them calmer until under the custody/control of a rescue group/org. Do not be cruel or inhumane.

D. Fostering

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 feline or puppy (no adult dogs may be fostered) may submit a request via email to the Board. "Fostering" juvenile canines older than 6 months or larger than 25 pounds shall not be permitted. "Fostering" of a feline or puppy within a unit for a period up to 8 weeks will be considered. If addition 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 animals as part of these established programs will not be required to register feline or puppy, 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 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 \$100 payable by the Villa Owner.