

unreasonably disturb any other Owner's or Tenant's enjoyment of his or her Unit or the Common Area.

8.5 Pets. No animals, livestock, or poultry of any kind, shall be raised, bred or kept on any Lot, except that dogs, cats, or other household pets may be kept on the Lots, provided they are not kept, bred or maintained for any commercial purpose, or in unreasonable numbers. Notwithstanding the foregoing, no animals of any kind may be kept on the properties which result in an annoyance or are a nuisance or obnoxious to residents in the vicinity. In addition, no more than one (1) dog and one (1) cat, or two (2) dogs or two (2) cats, may be kept within an Owner's Lot. Animals shall be allowed on the Common Area only when they are leashed and are otherwise under the supervision and restraint of their Owners. No household pet shall be left chained or otherwise tethered in front of a Lot or in the Common Area. Pet owners shall be responsible for the prompt disposal of pet wastes deposited by their pets in the Common Areas, patios or in fenced yard areas adjacent to the Owner's Residence. Every Owner shall be liable to each and all remaining Owners, their families, guests, invitees, and Tenants, for any damages and unreasonable noise to person or property caused by any animals brought or kept upon the Property by an Owner or by members of his or her family, Tenants, guests, and invitees.

Notwithstanding the foregoing, no domestic dogs shall be within the Common Area that are deemed by the Board to be vicious or potentially dangerous dogs. All vicious and potentially dangerous dogs must be kept indoors or in a securely fenced area within the Owner's Lot from which it cannot escape, and into which children or other individuals cannot trespass. A dog shall be deemed "vicious" for purposes of this Section if, when unprovoked: 1) it has bitten a person (however, a dog may be vicious even though it is not proven to have bitten any person); 2) in an aggressive manner, it inflicts severe injury on or kills a human being; or 3) it is previously determined to be and currently listed as a potentially dangerous dog (as determined by the Board of Directors or local governmental authority) and, after its owner or keeper has been notified of this determination, it continues to engage in behavior deemed potentially dangerous. For purposes of determining if a dog is "vicious," "severe injury" means any physical injury to a human being that results in muscle tears, disfiguring lacerations, or requires multiple sutures or corrective or cosmetic surgery.

A dog shall be deemed "potentially dangerous" for purposes of this Section if, when unprovoked: 1) on two separate occasions within the prior 36-month period, it engages in any behavior that requires a defensive action by any person to prevent bodily injury when the person and the dog are off the property of the owner or keeper of the dog; 2) it bites a person causing a less "severe injury" than as defined above; or 3) on two separate occasions within the prior 36-month period, it has killed, seriously bitten, inflicted injury, or otherwise caused injury attacking a domestic animal off the property of the owner or keeper of the dog.

The Association shall have the right to enforce this Section pursuant to the terms of this Declaration or any other provision or amendment thereto.