

Revised 12/14/21

FERNBANK UNIT OWNER'S ASSOCIATION (FUOA)

PETS AND OTHER ANIMALS

I. Ordinances and FUOA Covenants

Jefferson County has three ordinances that apply to dogs in Fernbank: (1) Leash Law Ordinance; (2) Dog Tethering and Confinement Ordinance; and (3) Ordinance regarding barking, howling, or yelping dogs. Except for some highlights, these ordinances are not repeated here but all Fernbank residents, renters, family members and guests who have dogs within our community are subject to them. You may access these ordinances online at jeffersoncountywv.org by clicking on "County Government" at the top of the webpage, then "Ordinances" in the drop-down menu.

The FUOA Covenants include two provisions that are relevant to these rules--section 10.1(d) Nuisance and section 10.1(f) Pets. Residents who have pets are encouraged read these covenants.

FUOA will comply with any laws requiring reasonable accommodations for persons with disabilities who need a service or emotional support animal.

II. Dogs

All dogs within Fernbank must be kept under control by the owner or supervisor of the dog.

Dogs are considered under control if they are (1) restrained by an operable invisible fence, or other effective technology, on property owned or leased by the dog owner or supervisor or (2) under effective verbal control by that person. Otherwise, the dog must be secured by a leash.

Invisible fences must be set to restrain the dog and must be regularly checked to ensure they are working properly. It is strongly recommended that invisible fences be identified by a yard sign.

A dog must be secured by a leash and have a collar with a license and a rabies tag when off the owner's property.

Any person walking a dog must pick up the dog's waste and dispose of it in the household's garbage. Of course, the same should be done for dog waste on the property of any of our neighbors, including North Hills, the Cress Creek golf course, or Howard Farm properties.

III. Cats.

Each Fernbank resident who owns a cat must ensure that the cat is not a nuisance (as defined in the Fernbank Covenants section 10.1(d)) to other Fernbank residents.

To prevent the potential spread of parasites and diseases, Fernbank residents shall not feed, or permit the feeding of, feral cats on their lots or on other property in Fernbank.

IV. Authorized Directory

In order to assist in reuniting lost pets with their owners, FUAO may create an online directory of the pets living in our community. Participation in such a directory would be voluntary on the part of Fernbank residents.

V. Compliance

A. Members of the Safety and Roads Committee, as designated by the Chair, will take action necessary to seek compliance with these rules. If a committee member is not available to handle an issue respecting pets or other animals, the FUAO President will prescribe action, as required.

Violations of these rules will be handled at the lowest practical and effective level by seeking resolution through one or more of the following escalating steps:

(1) Neighbor to neighbor resolution. As the first step in resolving an issue, it is strongly encouraged and expected that neighbors will talk to neighbors to resolve dog and cat violations as they occur.

(2) Nuisance complaints. In cases not resolved by neighbors which involve nuisance complaints, including dog or cat feces, barking dogs, cat noise/roaming, and the like, a Safety and Roads Committee member will address the issue with the pet owner.

(3) Dog bites/aggressive behavior. In more serious cases, such as dog biting or aggressive behavior, a Safety and Roads Committee member will address the incident with the pet owner and the victim. The committee member may contact the Jefferson County Animal Control Department if the victim so agrees. Medical facilities in Jefferson County are required to report dog bites to Jefferson County Animal Control. A Safety and Roads Committee member will not personally attempt to take control of an ill-behaved dog.

(4) The foregoing enforcement actions notwithstanding, any FUAO resident may personally call the Jefferson County Animal Control Department for emergency assistance involving a dog or a cat. Any FUAO resident who calls the Jefferson County Animal Control Department for assistance should advise a member of the Safety and Roads Committee so that the FUAO can be kept informed.

B. Article V of the Fernbank Bylaws authorize the Executive Board, after notice and a hearing, to impose fines for violations of these rules, including one-time violations or a continuing course of conduct.

VI. Disposal of dead wild animals.

If there is a dead wild animal in Fernbank, such as a deer, please notify a member of the Safety and Roads Committee so it can be disposed of. Due to health concerns, please do not touch a dead wild animal.