



Use and Maintenance Standards Resolution 9 Animals

WHEREAS, Section III.2(a) of the First Amendment to the Deed of Amendment to the Deeds of Dedication of Reston (“Amended Reston Deed”) delineates that it is a purpose of the Association to interpret, administer, and enforce the protective covenants and restrictions of the Deed in such a manner as to conserve, protect, and enhance the value of all real property subject to the Deed; and

WHEREAS, Section III.3(2)(a) of the Amended Reston Deed delineates that it is a purpose of the Association to interpret, administer, and enforce the protective covenants and restrictions of the Amended Reston Deed in such a manner as to conserve, protect, and enhance the value of all real property subject to the Amended Reston Deed; and

WHEREAS, Section VI.2 of the Amended Reston Deed set forth certain protective covenants regarding use of Property within Reston; and

WHEREAS, Sections I.1(pp) and III.7(b) of the Amended Reston Deed require the Covenants Committee to administer the Use and Maintenance Covenants set forth in Section VI.2 of the Amended Reston Deed and Use and Maintenance Standards adopted by the Board which govern the Upkeep, use, occupancy, condition, and physical appearance of the Property; and

WHEREAS, Section III.7(b)(1) of the Amended Reston Deed requires that the Covenants Committee consider and decide violation cases in accordance with adopted procedures, after affording alleged violator(s) the opportunity to be heard; and

WHEREAS, Section VI.2(b)(14) of the Amended Reston Deed regarding Animals, stipulates that no animals, livestock, or poultry of any kind shall be raised, bred, or kept on any Lot, except a reasonable number of common household pets may be kept, as long as they are not raised, bred, or kept for commercial purposes, and the number does not violate Fairfax County ordinances.

NOW, THEREFORE, BE IT RESOLVED, that the RA Board of Directors and the Covenants Committee shall adhere to the following standards in considering requests for temporary exception permits, complaints, or appeals regarding Amended Reston Deed Section VI.2(b)(14) Animals:

1. In determining what constitutes "common household pets", the RA Board of Directors and the Covenants Committee shall consider a number of factors including but not limited to the type and size of the animal, the noise and the smell caused or created by the animal, as well as the consequences to the community if the animal should escape the control of its keeper.
2. In determining what constitutes a "reasonable number" of household pets, as long as the number does not violate Fairfax County ordinances, the RA Board of Directors and the Covenants Committee shall consider the degree of impact on neighbors. Generally, any number

of pets which are not reasonably noticeable by neighbors (as a result, for example, of noise or odor) may be kept. The Board or the Committee will take into account the size and type of the unit and its lot; the proximity of neighbors; whether the pets are kept indoors or outdoors; the amount of intensity of noise or odor generated by the pets; the apparent detrimental impact of such pets on the external appearance of the lot and the quality of life in the immediate neighborhood.

ATTEST: This Resolution was adopted at a Regular Meeting of the Reston Association Board of Directors held on July 27, 2006.

Cate L. Fulkerson
Assistant Secretary