

**GENESEE FOUNDATION BOARD OF DIRECTORS RESOLUTION
REGARDING ANIMAL CONTROL REGULATIONS**

The following Resolution of the Genesee Foundation Board of Directors Regarding Animal Control Regulations was adopted and approved by a vote of 6-0 at a regularly scheduled meeting of the Board of Directors on December 14, 2011

WHEREAS, the Declaration of Covenants, Conditions and Restriction for Genesee, as supplemented and amended, provides:

Animals shall not be permitted to roam at will, and at the option of the Developer or the Foundation, steps may be taken to control any animals not under the immediate control of their Owners, including the right to impound animals not under such control and charge substantial fees to their owner for their return. The Developer and Foundation shall have the right to adopt further rules and regulations to enforce this provision.

(the "Animal Control Provision"); and

WHEREAS, as of January 13, 1993, Genesee Foundation did adopt an Animal Control Regulations (the "Genesee Animal Control Regulations") for the enforcement of the Animal Control Provision, which regulations included defining violations of the Animal Control Provision and establishing a fine schedule for those violations; and

WHEREAS, Jefferson County adopted an Ordinance setting forth comprehensive Animal Control Regulations applicable throughout the unincorporated areas of Jefferson County, including Genesee, effective as of July 14, 2007, and located at the Jefferson County Policy Manual, Part III, Regulations, Chapter 5 Animals, Section 1 (the "Jefferson County Animal Control Regulations"); and

WHEREAS, the Jefferson County Animal Control Regulations are more specific, detailed and stringent than the Animal Control Provision and Genesee Animal Control Regulations and the Jefferson County Animal Control Officers, Sheriff's Deputies, and other Jefferson County personnel authorized to enforce the Jefferson County Animal Control Regulations are more adequately trained in animal control and animal control enforcement procedures than Genesee Foundation personnel and have more enforcement authority than Genesee Foundation personnel; and

WHEREAS, based on the foregoing, the Genesee Foundation Board of Directors has determined that it is appropriate to substantially modify the Genesee Animal Control Regulations in a fashion such that Genesee Foundation will refer any animal control violations or animal control issues to Jefferson County Animal Control personnel and will defer to Jefferson County Animal Control Officers or Sheriff's Deputies for the investigation and enforcement of animal control violations.

GENESEE FOUNDATION ANIMAL CONTROL REGULATION

1. It is the intent of the Board of Directors in adopting this Regulation to provide a method to enforce the provisions contained in the Genesee Declaration of Covenants, Conditions, and Restriction, as supplemented and amended, (the "Declaration") that animal owners keep their animals under immediate control at all times and that such animals not be permitted to roam at will.

2. Jefferson County, Colorado has adopted an Ordinance and Regulatory Policy effective July 14, 2007, setting forth the Jefferson County Animal Control Regulation, Part III Regulations, Chapter 5 Animals, Section 1 (the "Jefferson County Animal Control Regulation"). The Jefferson County Animal Control Regulation is in effect, is comprehensive in scope, is fully enforceable within the Genesee Community, and all members of Genesee Foundation and all residents of Genesee are obligated to comply with the Jefferson County Animal Control Regulation.

3. The Declaration provides:

Animals shall not be permitted to roam at will, and at the option of the Developer or the Foundation, steps may be taken to control any animals not under the immediate control of their Owners, including the right to impound animals not under such control and charge substantial fees to their owners for their return.

Although this provision of the Declaration addresses all pets, it is primarily, if not solely, directed at dogs.

4. The Jefferson County Animal Control Regulation contains provisions prohibiting dogs at large, and dogs off leash, as well as additional regulations more detailed and stringent than the Declaration provision, quoted above, including criminal sanctions and other enforcement mechanisms.

5. If a member of Genesee Foundation has a complaint or concern about animals roaming at will or animals not under the immediate control of their owners, the member may submit a written complaint to Genesee Foundation, identifying with as much specificity as possible the animal, the owner of the animal, and the address of the owner of the animal. Upon receipt of any such complaint, Genesee Foundation staff shall refer the complaint to Jefferson County Animal Control for appropriate action. Members of Genesee Foundation are also encouraged to make direct reports of violations of the Jefferson County Animal Control Regulation to Jefferson County Animal Control.

NOW, THEREFORE, be is RESOLVED as follows:

1. The Genesee Animal Control Regulations adopted as of January 13, 1993 are hereby rescinded and terminated.

2. The Animal Control Regulations effective as of December 14, 2012, attached hereto and incorporated herein are hereby ratified and adopted.

GENESEE FOUNDATION

BY: _____

Secretary