

A Resolution by the Board of Directors of the Doral Homeowners Association Pertaining to the Keeping of Pit Bulls in the Community

Whereas, Article VI, Section 6.02(b) of the Declaration of Covenants, Conditions and Restrictions (the “Declaration”) of the Doral Homeowners Association states,

the maintenance, keeping, boarding or raising of animals, livestock, or poultry of any kind, regardless of number, shall be and is hereby prohibited on any Lot or within any dwelling, or other part of the Property, except that this shall not prohibit the keeping of dogs, cats or caged birds as domestic pets provided (i) they are not kept, bred or maintained for commercial purposes; (ii) such domestic pets are not a source of annoyance or nuisance to the neighborhood or other members; (iii) no more than three (3) such domestic pets may be maintained upon a SFD Lot or the dwelling erected thereon and no more than two (2) such domestic pets may be maintained upon a Townhouse Lot or the dwelling erected thereon; and (iv) such pets are maintained in strict conformance to all laws and ordinances. The Board of Directors or, upon resolution of the Board of Directors, the Covenant Committee, shall have the authority, after hearing, to determine whether a particular pet is a nuisance or a source of annoyance to other members, and such determination shall be conclusive. Pets shall be attended at all times and shall be registered, licensed and inoculated as may from time to time be required by law. Pets shall not be permitted upon the Common Area or Parcel Common Area unless accompanied by a responsible person and unless they are carried or leashed. The Board of Directors shall have the right to adopt such additional rules and regulations regarding pets as it may from time to time consider necessary or appropriate.

Whereas, the term “Pit Bull” as used in this Resolution is defined as any dog that is an American Pit Bull Terrier, American Staffordshire Terrier, Staffordshire Bull Terrier as such standards are established by the American Kennel Club, or any dog displaying the majority of physical traits of any one or more of the above breeds.

Whereas, the Maryland Court of Appeals issued on August 21, 2012 a revised opinion in the case of *Tracey v. Solesky*, finding that the aggressive and vicious nature of the Pit Bull breed of dog, and its ability to inflict serious and sometimes deadly injuries, causes the breed to be “inherently dangerous”, and also finding that property owners are subject to strict liability for injuries from any Pit Bull attack occurring on or from property owned by such person or entity. Therefore, based on the Maryland Court of Appeals decision, Doral Homeowners Association will be strictly liable for injuries that result from any Pit Bull attack that occurs on or within the Association’s Common Areas.

Whereas, the Board of Directors of the Doral Homeowners Association believes it is in the best interests of the health and safety of the residents and visitors of the Doral Community to prevent any Pit Bull attacks.

Now Therefore Be It Resolved that the Board of Directors of the Doral Homeowners Association hereby adopts the following policy regarding Pit Bulls:

(i) Discourage in the strongest manner any resident/homeowner in the Doral Community from keeping or maintaining a Pit Bull;

(ii) The Doral Community will be closely monitored for evidence that any Pit Bull is being kept or maintained;

(iii) In the event that any Doral resident/homeowner is found to be harboring a Pit Bull, the Board of Directors or the Association's management agent will forward notice to the resident and the homeowner (if different) demanding that the animal should be relocated immediately to a suitable shelter or animal control facility or another residence outside of the Doral Community, and;

(iv) If the violating Pit Bull is not relocated to a suitable shelter or animal control facility or another residence outside of the Doral Community, the Association may take further action, including, but not limited to, the assessment of fines or removal of the Pit Bull pursuant to Section 6.02(b) of the Declaration after notice and a hearing which would take into account any changes subsequent to the adoption of this declaration in the State of Maryland's laws pertaining to Pit Bulls.

Approved by vote of the Doral Board of Directors May 15, 2013.

DORAL HOMEOWNERS ASSOCIATION, INC.

By: George L. Langbein
George L. Langbein, President

Amended, as follows, by vote of the Doral Board of Directors May 21, 2014:

This resolution shall not apply to any Pit Bull dog being kept or maintained in the Doral Community on or before May 15, 2013.

By: George L. Langbein
George L. Langbein, President

RESOLUTION ACTION RECORD

Duly adopted at a meeting of the Board of Directors of Doral Homeowners Association, Inc., held on _____, 20__.

Motion by: _____ Seconded by: _____

VOTE:

OFFICER:	YES	NO	ABSTAIN	ABSENT
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
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_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

This Resolution was adopted and approved by Board of Directors of the Doral Homeowners Association, Inc. this _____ day of _____, 20__.