

BRAXTON PROPERTY OWNERS ASSOCIATION

Policy Resolution No. 2024 - J

REGARDING WILDLIFE

WHEREAS, under Article III, Section 3(b)(1) of the Declaration of Covenants and Restrictions ("Declaration") the Board of Directors ("Board") of the Braxton Property Owners Association ("Association") shall have all powers to conduct the affairs of the Association which are enabled by law or the Governing Documents and which are not specifically reserved to the members or the Declaration; and,

WHEREAS, Article 2, Section 1 of the Bylaws provides that the Board shall have and execute all powers and duties granted, authorized or imposed by the Virginia Nonstock Corporation Act ("Nonstock Act"), the Virginia Property Owners' Association Act ("POA Act"), the Articles of Incorporation "Articles"), and the Declaration; and,

WHEREAS, § 55.1-1819(A) of the POA Act and Article III, Section 3(c)(2) of the Declaration provide that the Board shall have the power to establish, adopt, and enforce rules and regulations with respect to use of the common areas and with respect to such other areas of responsibility assigned to the Association by the Declaration, except where expressly reserved by the Declaration to the members; and,

WHEREAS, Article VI, Section 1(a) of the Declaration provides that no nuisance shall be permitted to exist or operate upon any of the Properties so as to jeopardize property values or be detrimental to the well-being of members; and,

WHEREAS, Article VIII, Section 3 of the Declaration, as amended, provides that the Board may enforce the Association's Covenants, Rules and Regulations by way of the imposition of penalties and suspension of privileges; and

WHEREAS, the Board deems it necessary to establish certain rules and regulations governing the membership's interaction with local wildlife in order to preserve the Common Areas.

NOW, THEREFORE, BE IT RESOLVED that the following rules and regulations regarding the interaction with wildlife are hereby adopted and supersede any previously adopted policies concerning this subject:

I. APPLICATION

- a. Residents may not feed any wild animals within the community.
- b. Residents may not trap or shelter wild animals within the community.

II. ENFORCEMENT

- a. Violations of the foregoing may be penalized in accordance with §55.1-1819 of the POA Act.
- b. Upon a Complaint submitted by an Owner, Resident or Managing Agent, the Due Process Resolution previously adopted shall be followed.
- c. Penalties for violations may include the imposition of violation assessments and, or suspension of membership privileges.

This Resolution is effective immediately upon adoption.

BRAXTON PROPERTY OWNERS ASSOCIATION

RESOLUTION ACTION RECORD

Resolution Type: Policy No.: 2024-1

Pertaining to: Regarding Committees

Duly adopted by the Board of Directors of Braxton Property Owners Association on March 20, 2024, by [check applicable]:

- ☒ majority vote at a Board meeting, or
☐ by unanimous written consent through an action without a meeting.

Motion by: Kline

Seconded by: Scott

VOTE:

DIRECTOR: (printed name)	YES	NO	ABSTAIN	ABSENT
Chris Kline	✓			
Brooke Scott	✓			
Cheryl Bennett	✓			
Kelly Long	✓			
Jeressa Hunter				✓

Misty Hook

Jerri Reinhardt

ATTEST: Kelly M. Long

Date

March 20, 2024

Secretary

Policy's Effective Date: 3/21/2024.

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of March, 2024, a copy of the above-referenced Policy was published or distributed to all Owners in accordance with the Virginia Property Owners' Association Act.

Christina L. Greene