

**Rules and Regulations**  
**Townhouses of Saratoga Community Association (The)**



# **Architectural Rules and Regulations**

**October 2007**

## **I. INTRODUCTION**

### **A. AUTHORITY**

**Declaration of Covenants, Conditions and Restrictions.** The authority for maintaining the quality of design in the community is based on the Declaration of Covenants, Conditions and Restrictions, more specifically Article VIII of the Declaration. The covenants establish certain restrictions on the use of lots within the townhouses of Saratoga Community Association and provide a framework for governance of the community via a Homeowners Association and an Architectural Control Committee (hereinafter referred to as "ACC").

**These Covenants are binding on all homeowners, current and future. Homeowners and residents should be familiar with and understand the importance of these covenants.**

Article VIII, Section 2, of the Association's Declaration and Article IX of the Bylaws authorize the Board of Directors to appoint the ACC. Therefore, pursuant to Article VIII, Section 1, of the Declaration, construction, addition or alteration of any building, structure, shed, awning, porch, porch covering, garage, trailer, driveway, fence, hedge, screen, barn, wall or other structure upon any lot or house on any lot requires prior ACC approval.

### **B. PURPOSE**

1. To establish and enforce standards governing alterations and additions to homes and grounds within the community.
2. To prescribe procedures governing applications for the approval of alterations and additions to homes and grounds within the community.
3. To establish and enforce standards governing the general repair and appearance of homes and grounds within the community.

### **C. SCOPE OF CONTROL**

1. Townhouse building exteriors, including design, colors, lighting and general maintenance. Interior construction modifications do not require ACC approval unless the changes will affect the safety and security of the neighboring homeowners.
2. Maintenance and replacement of fences.
3. Construction, addition or alteration of any building, structure, shed, awning, porch, porch covering, garage, trailer, driveway, fence, hedge, screen, barn, wall or other structure upon any lot or house on any lot.
4. Maintenance and replacement of landscaping.

## **D. POLICY**

The value of the Saratoga townhouse community depends largely on the aesthetic qualities and appearance of its homes and grounds. Ensuring that Saratoga is an attractive and desirable community to live in should be a high priority for homeowners who are concerned about enhancing property values for resale. The original construction and finish of the townhouses and the design of the landscaping was a professional effort that reflects a pleasant, integrated appearance. The ACC is responsible for ensuring that the appearance of the community is preserved. Specifically, the ACC ensures that any alterations or additions to a property and the general repair of homes and grounds within the community will continue to present an attractive, integrated appearance. The future value of your home is a key consideration in the deliberations of the ACC.

Homeowners at Townhouses of Saratoga may propose changes to the Architectural Rules and Regulations at any time. Proposed changes are subject to approval by the Board of Directors [majority vote] at Townhouses of Saratoga Community Association, Inc. Approved changes will be incorporated in the Architectural Rules and Regulations annually or sooner if deemed urgent.

## **E. PROPERTY NOT MEETING STANDARDS**

It is the intent of the Board of Directors to enforce the Association's governing documents and Architectural Rules and Regulations for the benefit and protection of the Association's lot owners and residents. Therefore, the Board of Directors will follow the procedures that ensure due process and consistency of enforcement adopted as Regulatory Resolution 98-1 currently in effect. Please call the current Management Company to request a copy of this resolution.

## **F. COMPLIANCE**

If any cited violation is not corrected within the stipulated period of time from the date of the written notice, corrective action may be taken by the Board of Directors and/or rules violation charges may be assessed against the unit. The Association may also pursue any or all other remedies available to it under Virginia law or the Association's governing documents.

## **II. MAINTENANCE AND CONSTRUCTION**

**Any construction, addition or alteration to any lot or house on a lot must be approved in writing by the Architectural Control Committee.** Appendix B - Exterior Remodeling Guide, addresses frequently asked questions and requirements for the replacement of windows, roofing, exterior coverings and walkways

Lot owners are responsible for obtaining any and all required permits and approvals for construction on their property. Lot owners are also responsible for complying with all applicable building codes.

The following alterations, improvements or additions to a property may not be made without securing the written approval of the ACC.

- A. **Painting:** The exterior of a townhouse may be repainted with ACC approval. Approved paint colors are shown in the *McCormick Paints State House Exterior Color Collection Chart* (Chart #CS 25M 1/06). Colonial Colors or Chesapeake Colors are acceptable. Other brands of paint may be used providing they match the State House Collection.

Handrails must be painted black, white or the color of the trim.

- B. **Roofing:** The roof of a townhouse may be replaced with ACC approval provided the construction techniques meet all County building codes and its color, shade, material, and pattern are the same or similar to the original roof (see Appendix B). Ridge vents must match the roof color.

- C. **Construction:** Any improvement or alteration to the exterior property must obtain ACC approval prior to construction.

- D. **Decks (with or without stairs):** Deck and stair installation is permitted; however, the design, material and stain are subject to ACC approval. Metal components other than connections and fasteners are not permitted. Wood substitutes (such as Trex) must closely match the appearance of natural wood and may be used for decking and railing **only**.

1. Homeowners are required to submit a copy of the plans or a copy of the deck or, if required, a copy of the building permit request, including side view and front views of the deck. (Orthographic drawing)
2. Decks may not be painted, in part or whole. They may only be stained or otherwise treated with a semi-transparent stain of wood tone, or preservative/sealant to preserve its natural color and to keep its grain visible.
3. Stains require ACC approval. If approval is granted, all visible elements of the deck and stairs must be stained the same color. Also, the resulting color of the deck and stairs must match the color of the fence. (See paragraph E, Fences.)

**Things to consider when planning your deck:**

*Make sure the deck and stair designs are structurally sound with respect to applicable loading conditions including soil conditions that vary from one location to another. Make sure that the deck structure will not adversely affect the structural stability of the main building frame or any of its components. Homeowners are encouraged to consult an architect licensed in Virginia before proceeding with the installation of their deck and/or stairs.*

*Try not to place posts in the front of your window and/or patio door. Prevent staggering and misalignment of posts because this will make your rear building elevation unsightly.*

*Unsightly diagonal bracing on the underside of the deck can be avoided by installing a herringbone platform in lieu of planks installed parallel to the face of your home*

*Prior to digging, call or have your contractor call Miss Utility to verify the location of all underground utilities within the construction limits.*

*Where wood is used, use only pressure-treated wood. Southern Yellow Pine is usually pressure-treated and reasonably priced.*

*Wood Quality: Wood should have good decay resistance, non-splintering, fair stiffness, fair strength, fair hardness, and fair warp resistance. Wood Grade: No. 1 for flooring and railing and No. 2 or better for the deck frame.*

*Keep in mind that large decks will make the 1<sup>st</sup> floor interior darker than you may like. Avoid building deck stairs because the stair support system will make your yard cluttered. Always remember that your house will be safer without the rear yard stairs!*

**E. Fences:** Fences must be repaired or replaced as needed with ACC approval provided that the appearance and construction of the fence shall be in accordance with one of the three approved styles (see Appendix A, Authorized Fence Designs). All wood materials must be in place and in good condition (not broken or deteriorated). Approved materials for installation or repair are limited to pressure treated, cedar lumber or wood substitute such as Trex. Fences may remain natural wood or be stained in a clear or light gray preservative. Bright paints or stains (whites, reds, greens, yellows, etc.) are prohibited.

**F. Landscaping:** The original landscaping may be enhanced at the option of owners or tenants under the following guidelines:

1. Dead trees or shrubs must be replaced with reasonably similar plant life. Shrubs must be replaced starting at a minimum size of 24"-36". Recommended materials: evergreens (i.e. junipers, hollies, laurels), azaleas, variegated perennials (i.e. hosta, liriopé). Trees should be replaced starting at a minimum of 6' - 8' tall. Recommended variety: Kousa or American dogwoods; Yoshino or Kwanzan cherry; red or Japanese maple; and Bradford or Aristocrat pear.
2. Replacement or new trees, shrubs or hedges should not endanger utilities or telephone lines and the structure of any house or obstruct sight lines for vehicular traffic. Tree selection's growth should not exceed the height of the townhouse.
3. Flowers and other plants may be planted at owner or tenant discretion in existing beds; beds may not be bordered without ACC approval.

4. Flower or plant beds may be established at owner or tenant discretion along walkways leading to townhouse entrance doors and along the front and side of any end-unit townhouse.
5. The majority (70%) of the grassed area around a townhouse shall remain intact. However, growing conditions vary in the community and exemptions are permitted with ACC approval.

G. **Temporary Structures:** Tents and other portable structures are permitted within enclosed townhouse yards provided the structure does not exceed the lowest point of the top of the fence around the property. Patio umbrellas are exempted from the height restriction.

### III. PROPERTY APPEARANCE

The general appearance and aesthetics of the homes and property within the community are important to owners and tenants alike. Repair and maintenance are necessary for the community to be a desirable place to live by current residents, prospective home buyers or tenants considering a rental property.

Therefore, the following conditions will not be permitted:

- A. Poor exterior paint condition, excessive mildew, dirt or fading.
- B. Exterior paint color that is inconsistent with the color scheme of the community. Vinyl siding that does not match color scheme (see Appendix B – Section B-3)
- C. Shutters, doors, storm doors, broken windows, damaged screens and trim in poor condition.
- D. Poor condition of house exterior.
- E. Loose, broken or damaged gutters and downspouts: Gutters and downspouts must be in good repair (attached firmly to the house and not dangling), be an acceptable color, match the original design, and shall not adversely affect drainage on adjacent properties. Black drainage pipes are allowed but are not permitted to extend beyond the shrub border to the lawn unless buried under ground. Gutters must be kept clean in order to prevent damage to your property and/or your neighbors' property.
- F. Dead or poorly maintained trees, shrubs or plants. Trees, shrubs or hedges must not present an unsightly appearance or encroach on neighboring property in such a manner as to be detrimental to property or endanger people. Shrubs, bushes, or any other plantings may not encroach on common sidewalks. Shrubs must be pruned regularly. Shrubs in front of windows, other than the basement windows, may not exceed in height the lowest ledge of the window or 5 feet, whichever is higher. No shrubs may exceed the highest point of the front door frame. Climbing vines are not allowed on the exterior of the home. Tree stumps must be removed and a new tree planted at that location. Each property owner is responsible for the continued

maintenance of the structure and grounds that are part of the homeowner's lot. These responsibilities include, but are not limited to:

1. Keeping the building in excellent condition and repair and removing all debris, including cigarette butts and unsightly material.
  2. Keeping shrubs, trees, grass and other plantings neatly trimmed, properly cultivated, and free of weeds.
  3. Preventing trees, shrubs, or plantings of any kind to overhang or otherwise encroach upon any sidewalk, street, pedestrian way, or other homeowner's property. Trees must be trimmed to a minimum of 7 foot clearance above sidewalks.
  4. Preventing front and rear yards from becoming unsightly.
  5. Keeping grass, shrubs, trees, and other plantings properly watered to prevent dryness and/or dry patches.
- G. Concrete sidewalks and steps that are cracked, in disrepair or have been modified without approval of the ACC. Handrails are required and must be maintained whenever there are three or more steps. Astro-turf or other materials are not permitted for covering the sidewalk or steps. Steps may be painted light grey only.
- H. Trash cans, trash bags, and recycling bins shall not be placed for pickup prior to 7:00 p.m. of the evening prior to pickup and shall be removed no later than 7:00 p.m. of the evening of pickup. Trash must be secured in a proper container and must be placed at curbside, not on the grass. At all other times, trash containers/recycling bins must be kept in the enclosed rear yard or within the residence.
- I. Broken fences and gates: Fences and gates must be in good repair. Gates must close flush with the fence and be kept closed except when in use. A warped fence or gate will be cited for replacement or repair. (See Appendix A).
- J. Guidelines for Satellite Dishes (DBS or MMDS) and Exterior Antennas are specifically addressed in Appendix C.
- K. Cables and wires: All external cables and wires must be securely fastened flush to the main structure of the home for their entire length.
- L. Clotheslines, clothes hanging devices or similar apparatus are prohibited.
- M. Window mounted air conditioning units and permanently installed window fans are prohibited.
- N. Decorations (exterior): ACC approval is required for all exterior decorative objects other than holiday decorations. The approval will be based on their general appropriateness, size, location, compatibility with architectural and environmental design and visual impact on the neighborhood and surrounding area. Seasonal decorations must be removed no later than three weeks upon the end of the respective festive season. Other decorations such as bird houses, driftwood, weathervanes,

sculptures, ceramic objects, fountains, free standing poles of all types, and house identification numbers will be evaluated by the ACC on a case-by-case basis.

O. Signs:

**Commercial signs**, with the exception of security system identification, are prohibited.

**"NO SOLICITING" signs** are prohibited anywhere on the exterior of the building.

**Signs advertising property for lease, sale or both** may be displayed in the front yard of the advertised property only. Real Estate signs must not exceed two square feet. Signs must be removed 48 hours upon property settlement/signing of rental/leasing agreement.

**Signs advertising garage sale or other special private events** are permitted. Signs may not be displayed more than 7 days prior to the event. Signs must be removed on the day the garage sale or event ends.

**Welcome plaques** are permitted without ACC approval. Plaques shall not exceed 160 square inches and shall be neatly affixed to the house. The plaque color shall be compatible with the color scheme of the house. The use of offensive language may not be displayed.

P. Flagpoles:

Permanent and freestanding flagpoles are not permitted.

Temporary flagpoles that do not exceed six feet in height and are attached to the exterior wall of the home or deck do not require ACC approval. Flags that display language or images that are vulgar or obscene or that promote illegal or violent conduct, or that contain threats such as gang symbols are prohibited. This provision does not apply to the display of the United States flag, which is authorized by Public Law No. 109-243, The Freedom to Display the American Flag Act of 2005. Restrictions on the display of the United States flag are limited to time, place and manner limitations.

Q. Firewood: Firewood may only be stored within the rear fence of the unit, below the top of the fence line. It is recommended that wood be stored 6-8" from the fence or any structure, due to the possibility of termites.

R. Storage Sheds require prior ACC approval. All sheds must be installed below the fence line. Sheds must be maintained in an acceptable condition.

#### IV. APPLICATION PROCEDURES AND APPEALS

- A. Homeowners must use the Association's form (Appendix E) when making change requests. Forms must be signed and dated by the homeowner or his/her agent. Requests received that do not follow this format will be returned to the owner for completion. The decision of the ACC will be noted on this form and a copy will be returned to the owner for the owner's records.
- B. Procedures: If approval of the ACC is required for a project, an application should be made in writing to the **Architectural Control Committee**, using the form provided in the Homeowners Manual. A separate form should be used for each item being requested, and each request should include one non-returnable copy of the plat, design sketch, picture or color chip and any supporting documents. Additional change request forms are available from the Management Company. Failure to submit an application before work is started may result in charges being assessed to the unit. The following information is required:
1. The name, address and phone number of the applicant.
  2. A description of the work planned, to include any proposed structural or appearance changes.
  3. The start and completion dates of the project.
  4. Any diagrams, drawings, photographs, paint color chips or charts, etc., necessary to depict the end result of the project.
- C. In the event the Architectural Control Committee, or its designated representative, fails to approve or disapprove an application within thirty (30) days after plans and specifications have been submitted to it, approval will not be required and the related covenants shall be deemed to have been fully complied with. Declaration, Article VIII, Section 1 (Deed Book 4407, page 599).

NOTE: This provision was included in the last two recorded Declarations (Deed Book 4407, Page 599 and Deed Book 4613, Page 772). The four Declarations are nearly identical with the exception of a few additional provisions or corrected sentences in the later versions.

- D. ACC Action: The Association's Board of Directors will schedule a hearing for the receipt of a completed application, the Chairman and/or members of the ACC will review the application and, if necessary, discuss the project with the applicant. The ACC will act upon applications within 30 days of the receipt of the request. Construction modification work shall not commence until the homeowner(s) have received written approval from the ACC. The owner of non-compliant units may be required to return the property to its former condition at owner expense, including all legal fees acquired by the HOA to enforce this action.

- E. Appeals: An applicant may appeal a denied application in writing to the Board of Directors via the current Management Company within 30 days of the denial. The appeal will be considered by the Board of Directors along with the findings of the ACC at the first Board meeting after receipt of appeal.
- F. Proposed changes, additions, or alterations must fully comply with the Fairfax County zoning and building codes, and the applicable State and National codes. The ACC has no authority to waive any County, State or National code. Homeowners, or their representatives, are responsible for obtaining all necessary permits prior to construction; however, obtaining a building permit does not absolve the homeowner of securing ACC approval.
- G. Application approval requires all work being started within 45 days of approval and completed in a professional manner, within full compliance of the ACC-approved Request for Change or Addition Form. Once started, homeowner will have 30 days to complete the project or up to 90 days to complete the project, with written justification and approval by the ACC. The Association may exercise its right to remove or repair any executed construction modification(s) that are not in compliance with the ACC-approved request, at the homeowner'(s) risk and expense, including any legal fees incurred by the Association to enforce this action.
- H. The ACC will make periodic and a final inspection of the construction when the project is completed. ACC approval of construction modification related work must comply with the ACC-approved documents. ACC is not a technical approval authority. Any liability, technical or otherwise, for the executed modification(s) rests solely with the respective homeowner(s) and their technical representative(s).
- I. Homeowners are solely liable for any claims including, without limitation, a claim for property damage or personal injury that may result from the requested construction modification(s). Homeowners are responsible for the maintenance, repair and upkeep of the completed construction modification.
- J. Homeowners are encouraged to discuss proposed construction modification(s) with their immediate neighbor(s) prior to submitting their application to the ACC.

## APPENDIX A

### Authorized Fence Designs

The Saratoga Townhouses were developed in different sections over time. The following diagrams depict the three approved fence designs. This information on fence design is provided to assist homeowners in repairing or replacing existing fences.

It should be noted that gates with all three fence styles must have either a rounded top or flat top.

Diagram #1

**THIS STYLE OF FENCE IS NO LONGER ACCEPTED DUE TO STRUCTURAL FAILURE.** Any homeowner currently using this style of fence who continually maintains it will **NOT** be cited as a violation. However, the owner will need to choose one of the other two designs when replacement is needed.

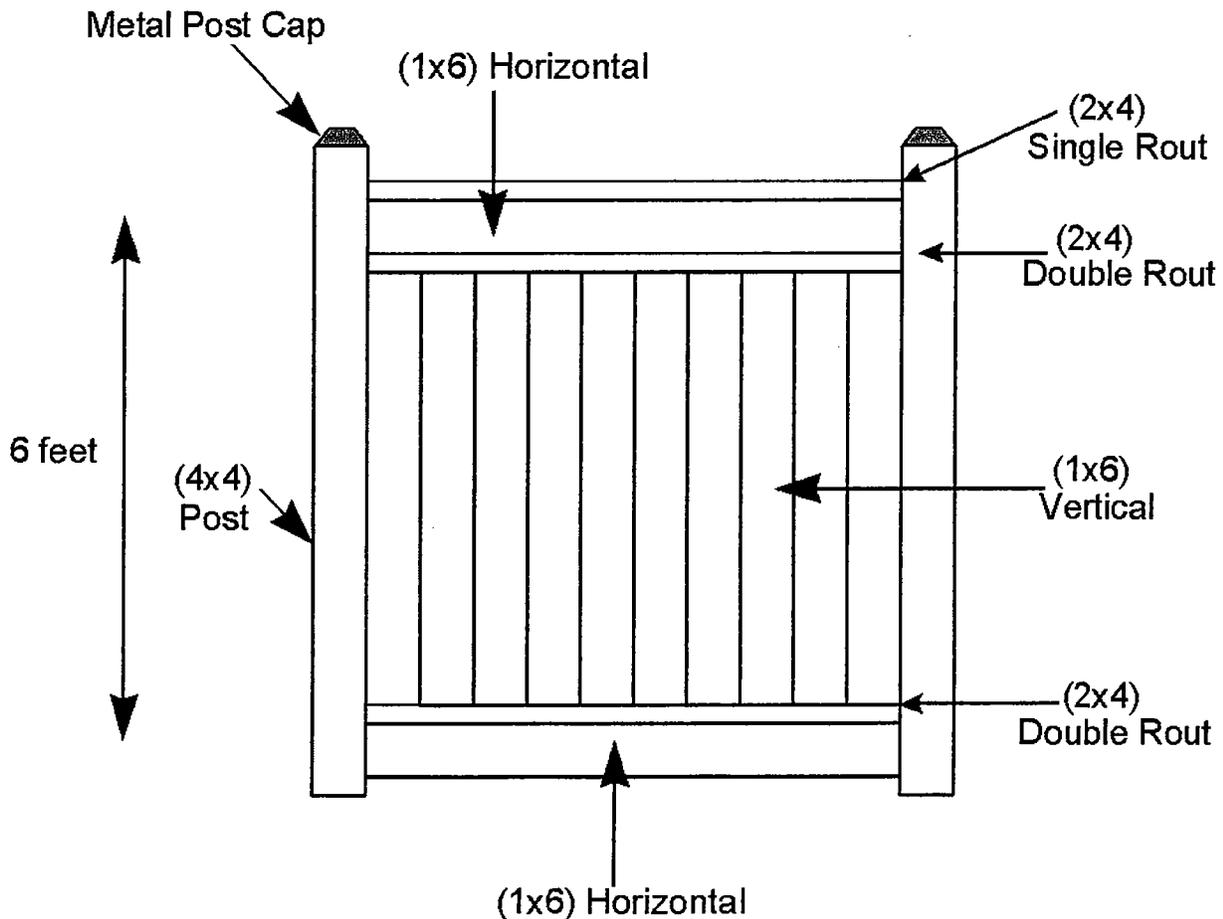


Diagram #2

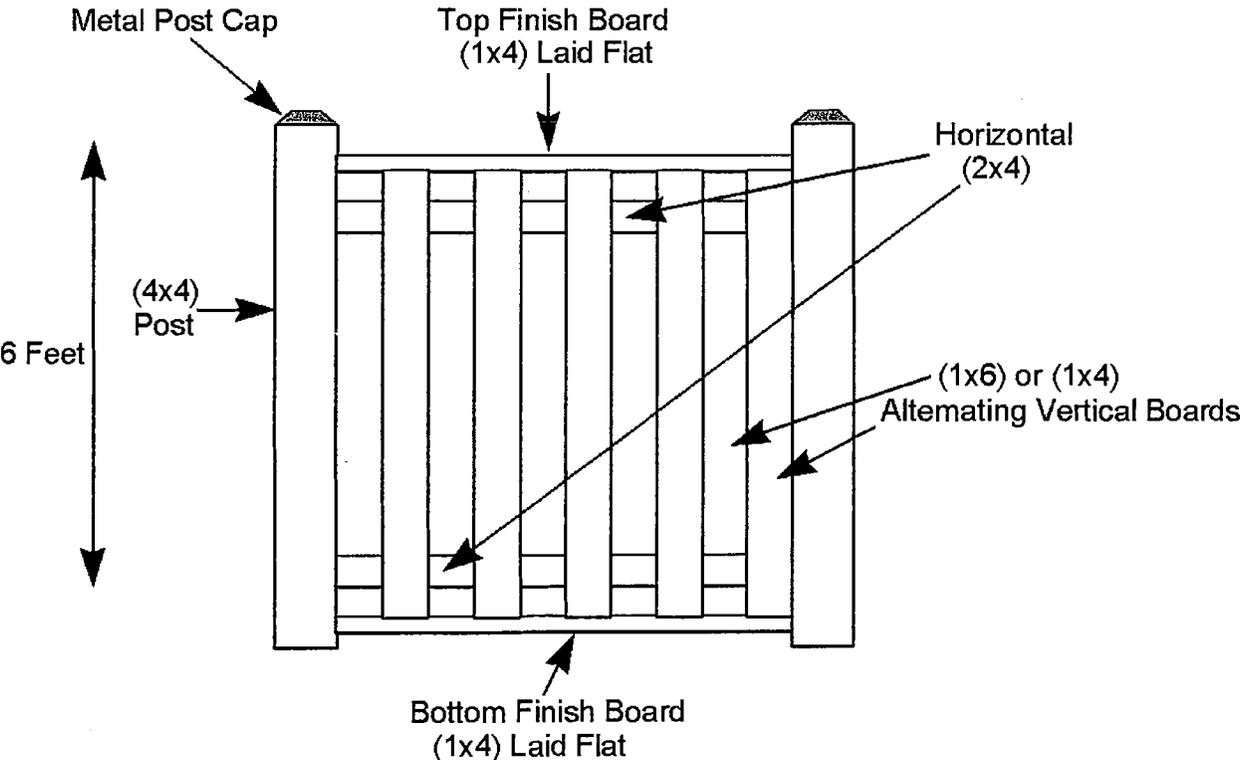
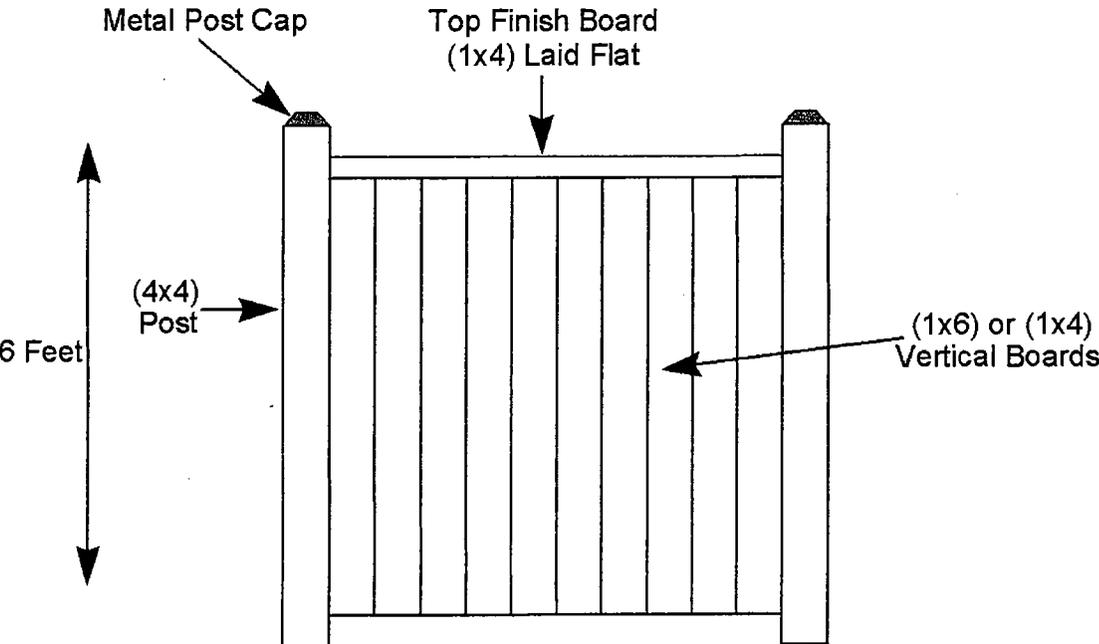


Diagram #3



## APPENDIX B

### Exterior Remodeling Guide

As the community ages, many units will require repair. The most common major repairs include:

- Replacement of roofing
- Replacement of the original windows with high efficiency windows
- Installation of vinyl or aluminum siding and trim (e.g. soffit and fascia)
- Exterior doors and storm doors
- Concrete walkways, landings and steps
- Exterior lighting

#### **B-1 Replacement Roofing**

Request for permission to replace a roof is always necessary, especially if the plans include using a different color material or style. The request must include a sample of the proposed roofing material. The application of the new shingles must be done in a professional manner so that the shingles are laid neatly, flat against the roof and do not detract from the appearance of the community.

Integrated ridge vents are allowed and must match the roof color.

#### **B-2 Replacement of the Original Windows with High Efficiency Windows**

All windows on a unit must have a consistent appearance and meet the following basic design requirements:

1. The individual replacement of a window or storm window must match the external appearance of the other existing windows on a house.
2. Window grids (mullions) are required on any window visible from the street. The number and placement of grids and glass panes must remain the same as the original windows that were installed.
3. The wood window trim must be compatible with the trim color currently in use on the house; however, white sashes and grids are acceptable.
4. If the new windows do not require an external storm window or are substantially different in any other way, all windows must be replaced at the same time to ensure a consistent appearance.

Permission must be obtained from the ACC to undertake any window replacement. To facilitate the approval process, you must attach a copy of the contractor's bid and product information (cost and pricing may be omitted).

### **B-3 Installation of Vinyl or Aluminum Siding and Trim**

The installation of new siding, of any type, and covering the trim with any material must receive approval from the ACC. Like painting, the colors should closely match the original color (see the chart of McCormick State House Exterior Colors available at paint and hardware stores and from the Management Company). The request should include a sample of the material or product information and planned installation.

### **B-4 Exterior Doors**

1. **Storm Doors:** The installation or replacement of a storm door requires approval. Storm doors can either be white, black, natural wood, match the color of the front door, or the color of the house trim.
2. **Entrance Doors:** Approval must always be requested, especially if a replacement door deviates from the original design or is in a solid color that matches the shutters or house trim. Front doors must be a solid color that matches the paint color of the shutters or house trim.

### **B-5 Concrete Walkways, Landings and Steps**

Concrete walkways, landings and steps, but not community sidewalks, may be resurfaced, sealed or painted to preserve them. The only paint permitted for this purpose is gloss enamel light gray. It is mandatory that a sand mixture or similar product be added to the paint to create a non-slip surface. The use of exterior carpet or Astro-turf on exterior landings and steps is prohibited.

### **B-6 Exterior Lighting**

Exterior lighting is essential to the security of the community. It is the ACC's goal to support the use of more modern energy saving alternatives, such as halogen or high efficiency florescent lamps for outdoor lighting. However, in accordance with the Association's Declaration: **No exterior lighting shall be directed outside the boundaries of a lot.**

1. The use of high wattage devices such as flood lamps is not allowed.
2. All light fixtures must be decorative. Many styles from colonial to contemporary are available. Industrial style fixtures or bare light bulbs are not allowed on the front or rear of the unit. Decorative fixtures and enclosed lighting elements must be kept in good repair (no broken or missing glass, hanging or bare wires). Any replacement light fixture must be installed at the original fixture location. The fixture must be installed in an upright position and not upside down or slanted to the side. The fixture must be installed securely to the house.
3. Motion detectors are allowed as long as they comply with other lighting standards.

**Like-in-kind replacement of exterior light fixtures** does not require approval of the ACC.

**Landscape illumination** of the front and/or rear yard is permitted; however, the illumination design (location, number and type of light fixtures) is subject to ACC approval prior to installation.

**Modified lighting:** Lighting which illuminates either common areas or private property other

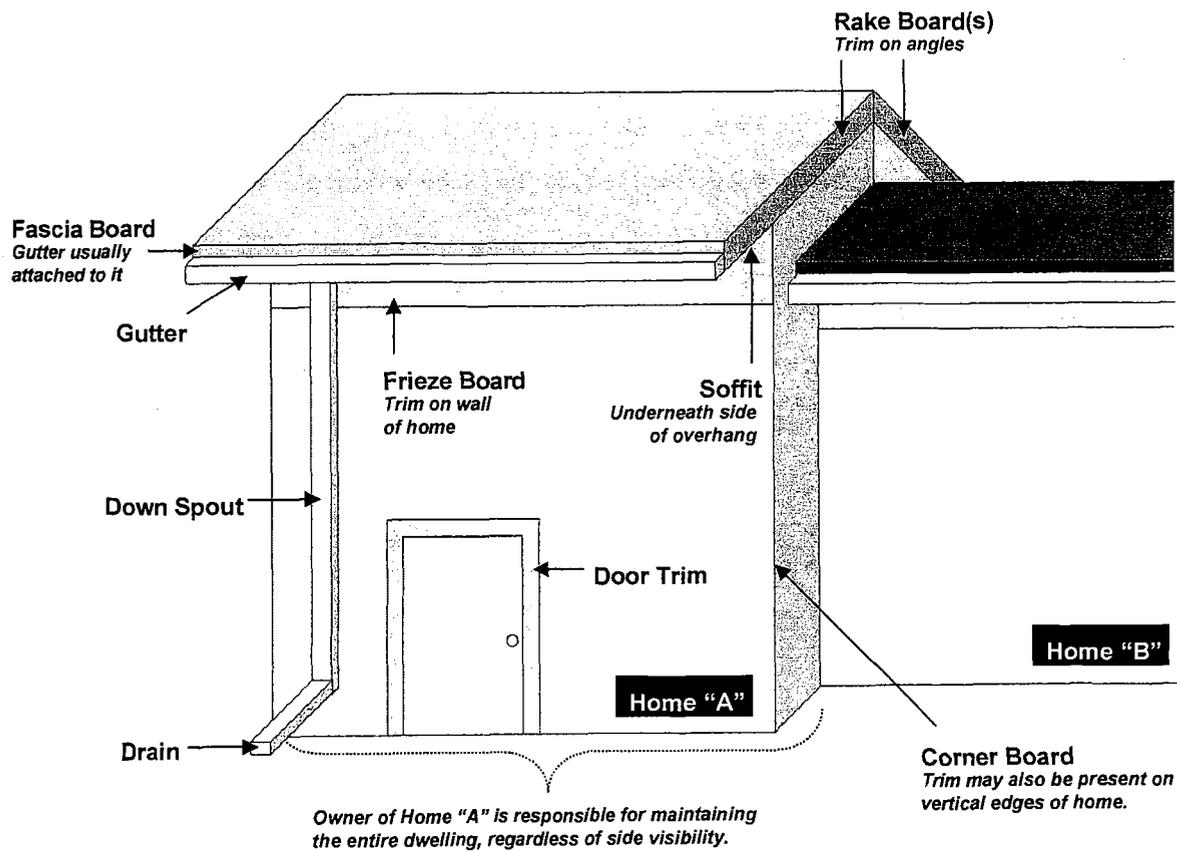
than that on which it is installed, including reflected "backwash" behind houses, is generally prohibited. The ACC will evaluate special cases, on a case-by-case basis. Proposed lighting will not be approved if it will have an adverse visual impact to any property, due to factors such as location, color or wattage. Since the effect of proposed lighting may be difficult to assess prior to installation, the ACC reserves the right to require correction, including removal or modification of lighting found to have an adverse impact after installation.

## **APPENDIX C**

### **Guidelines for Satellite Dishes and Exterior Antennas**

- A. The device must be one meter or less in diameter.
- B. The device must be a color and material which is reasonably compatible with the color and materials of the home.
- C. The Association's preferred locations for installation are on the ground inside a completely fenced area or mounted above the gutter line and below the peak of the roof. The device must be installed according to all State and County regulations.
- D. Consideration of any applicable rule, regulation or decision propounded pursuant to or construing Section 207 of the Telecommunications Act of 1996.

## APPENDIX D Home Exteriors



# APPENDIX E

## Request for Change or Addition

Townhouses of Saratoga Community Association, Inc.

NOTE: Please submit this form and additional item(s) (i.e., plat map, diagrams, paint chips, etc.). A copy reflecting the action taken by the Architectural Control Committee will be returned to you to become part of your permanent records.

MAIL TO: Townhouses of Saratoga Community Association, Inc., c/o Cardinal Management Group, Inc.,  
4330 Prince William Parkway, Suite #201, Woodbridge, VA 22192  
or FAX TO: 703-866-3156

UNIT OWNER'S NAME: \_\_\_\_\_

DAYTIME PHONE: \_\_\_\_\_ EVENING PHONE: \_\_\_\_\_

UNIT ADDRESS: \_\_\_\_\_

MAILING ADDRESS (if different): \_\_\_\_\_

DESCRIPTION/DIAGRAM OF MODIFICATION REQUESTED. (Please include a diagram and description of modification, sketch or picture, if applicable. If more space is needed, please use a separate sheet.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*I acknowledge and agree that I will be solely liable for any claims, including, without limitation, claims for property damage or personal injury, which result from the requested change or addition. I hereby indemnify the Association from and against any and all applicable codes and ordinances, and for obtaining all necessary permits and inspections for the requested change or addition and further that I am responsible for all maintenance, repair and upkeep of said change or addition.*

\_\_\_\_\_  
(Date) (Signature of Owner)

\*\*\*\*\*

### ACTION BY THE ARCHITECTURAL CONTROL COMMITTEE

( ) *Approved as requested.*

( ) *Approved subject to the following conditions/modifications:* \_\_\_\_\_

( ) *Disapproved for the following reasons:* \_\_\_\_\_

COPY RETURNED TO UNIT OWNER ON: \_\_\_\_\_  
(Date) (Signature of ACC)

# Understanding Fairfax County's

## Noise Ordinance



*Fairfax County residents and businesses are reminded that they must comply with the county's Noise Ordinance and are encouraged to report any violations that directly affect them. The ordinance promotes an environment for county citizens that is free from noise that jeopardizes their health or welfare or degrades the quality of life. Under the Ordinance, the following acts are violations during the hours noted:*

### SPECIFIC PROHIBITIONS

- |   |                |
|---|----------------|
| 1) Operating loud speakers & amplifiers (exterior of buildings)                   | 11 p.m.-7 a.m. |
| 2) Operating construction equipment (outdoors)                                    | 9 p.m.-7 a.m.  |
| 3) Operating construction equipment (outdoors)<br>on Sundays and federal holidays | 9 p.m.-9 a.m.  |
| 4) Repairing vehicles or equipment (outdoors)                                     | 9 p.m.-7 a.m.  |
| 5) Operating powered model vehicles (outdoors)                                    | 9 p.m.-7 a.m.  |
| 6) Refuse collection in residential neighborhoods                                 | 9 p.m.-6 a.m.  |
| 7) Truck loading or unloading (outdoors)  | 9 p.m.-6 a.m.  |

TV, radio, musical instruments, and animals that howl, bark, meow, or squawk frequently and habitually are declared a noise disturbance any time when plainly audible across property lines or through partitions. To register a complaint, contact the county's Zoning Enforcement Branch during normal business hours, weekdays from 8 a.m.-4:30 p.m., at 703-324-1300. During non-business hours, call the Public Safety non-emergency line at 703-691-2131.



# Fairfax County Pet Scoop



Fairfax County requires pet owners to observe certain regulations in order to preserve the health and safety of the community.

## What's Required

- Dog owners must pick up waste deposited by their pets on others' property or public property, a so-called "pooper scooper" regulation.
- Pet owners must have all dogs and cats four months of age or older vaccinated against rabies.
- Dog owners must annually purchase County dog licenses for all dogs four months of age or older. They can be purchased, at any time after the animal has received its first rabies inoculation, at the Animal Shelter and at all area governmental centers. The cost for Fairfax County residents is \$10 for fertile dogs and \$5 for infertile dogs.
- Owners must register dogs found by a court to be dangerous and euthanize dogs found by a court to be vicious.
- The County authorizes the Department of Animal Control to pick up animals other than dogs that are running at large if they are creating a public nuisance or threatening public safety or health. Dogs are prohibited from running unrestricted at all times. To retrieve a pet that has been picked up by Animal Control, owners should bring proof of rabies vaccination and, for a dog, a current dog license to the Animal Shelter at 4500 West Ox Road during business hours, which are Tuesday through Saturday 8 a.m. to 4:30 p.m.
- Citizens shall not keep or permit to be kept any wild, exotic or vicious animal as those terms are defined in the County Code. Wolf-dog hybrids are not allowed in the County.

*Pet owners who violate these County animal regulations may, for example, incur penalties of up to \$250 in fines (for the "pooper scooper" regulation) or up to a year's confinement in jail and/or a fine of up to \$2,500 (for violating the dangerous dog ordinance).*

## How to Report Violations

Citizens may report infractions of these regulations to the Department of Animal Control at 830-3310, Monday through Friday, 6 a.m. - 10:30 p.m., and Saturday and Sunday, ~~8~~ a.m. - ~~3~~ p.m.

8 430

07-94-41

**Section 41-2-5. Impoundment of unvaccinated dogs or unrestricted dogs; redemption and disposition of same**

(a) It shall be the duty of any of the officials charged with the enforcement of this Article to impound in the County pound any dog found unrestricted, as provided in Section 41-2-4, or any dog which has not been vaccinated or inoculated, as provided in Section 41-2-1, provided that if the owner of the dog can be immediately ascertained and located, a summons may be issued and the dog may, in lieu of impoundment, be released to its owner upon presentation of a valid rabies certificate. The dog shall be held in the pound for a period of five (5) days, unless otherwise provided for in this Section, unless the dog is rabid or suspected of being rabid, in which case the dog shall be held for further observation or destroyed upon the authorization of a licensed veterinarian or any person charged with the enforcement of this Article.

(b) Any dog impounded and not rabid or suspected of being rabid may be redeemed by its owner at any time within five (5) days after the impoundment upon:

- (1) Payment of a Fifteen Dollar (\$15.00) fee;
- (2) Payment of a boarding fee of Eight Dollars (\$8.00) per day;
- (3) Purchase of a license tag, if unlicensed; and
- (4) Presentation of a valid rabies certificate from a licensed veterinarian pursuant to the requirements of Section 41-2-3.

(c) The redemption fees shall be payable to the Director of Finance, and the receipt for the fees, together with the veterinarian's certificate of inoculation or vaccination, shall be presented at the pound for the dog's release.

(d) Any dog not redeemed within five (5) days from the date of its impoundment shall be destroyed in a humane manner by the Director of the Department of Animal Control or his designated agent, or otherwise lawfully disposed of, subject to reasonable rules and regulations as promulgated by the Director of the Department of Animal Control. It is further provided that no such rule or regulation may allow the Director of the Department of Animal Control or his designated agent to knowingly give or sell any such dog to any person who intends to use the dog for research purposes. (9-8-54, § 4; 5-24-67; 6-18-69; 1961 Code, § 2-10; 54-74-2; 4-75-2; 3-77-41; 26-77-41; 2-82-41; 23-92-41.)

**Section 41-2-6. Animals causing insanitary conditions.**

It shall be unlawful for the owner of any animal or animals, to keep such animal or animals in such a manner as to cause insanitary conditions. The owner or custodian of any dog shall be responsible for the removal of excreta deposited by such dog on the property of another, including public areas. (1961 Code, § 2-11; 54-74-2; 4-75-2.)