

Mission Manor Homeowners Association, Inc.

Mission, Texas

Pet Policy and Compliance

The following Pet Policy is adopted by the Board of Directors of the Mission Manor Homeowners Association, Inc. (the Association) in order to protect the rights and safety of individual members (a/k/a owners) within the Association, while respecting the privileges of our pet owners. This policy is adopted by the Board of Directors in accordance with Association declarations and applicable local and state law.

1...All owners of animals must abide by the City of Mission Code of Ordinances, specifically

Article III Dogs, Cats, other Domestic, captive animals

2...Only domestic dogs and domestic cats are allowed within Mission Manor Phase II, (our Association area). Maximum of two animals in total. (MMHOA covenants 6.10) Maximum weight of any animal, including those designated as a service or emotional support animal, is 40 pounds.

3...No wild creatures or farm animals (including, but not limited to, hogs, so-called pot-bellied pigs and poultry) shall be raised, kept, bred or harbored.

4...All dogs and cats over 4 months of age must be vaccinated, licensed and tagged (City of Mission Sec. 14-10). Verification of such licensing, including tag number, must be submitted to the Financial Secretary of the Association within 14 days of issuance by the City of Mission.

5...Each dog and cat must have a current health certificate, signed by a licensed veterinarian and dated within 45 calendar days prior to or following the animal's first day of residency within the Association. Said certificate shall state the height, weight, general description, general health, and current vaccination status of the animal. Said certificate shall be filed with the Financial Secretary of the Association no later than 60 days following the animal's first day of residency within the Association.

6...All dogs and cats shall have an identifying microchip implanted within 45 days following the animal's first day of residency within the Association.

7...All dogs and cats must be spayed or neutered by six months of age. A written notice from the attending veterinarian, which includes the name of the owner, the name of the animal and a general description, and city license tag number shall be provided to the Financial Secretary of the Association, confirming a successful spay or neuter, and the date of the procedure, within 30 days following surgery.

8...All dogs or cats must wear a collar with a city issued tag attached at all times (City of Mission Sec 14-114) *Note: Animals of members whose domicile (primary residence) is Mission, Texas shall display tags issued by the City of Mission. Animals of "Winter Texans" and/or other seasonal members whose*

domicile is not Mission, Texas shall display tags provided according to the law of that member's domicile. When no law exists regarding the licensing or tagging of animals within a member's non Mission, Texas domicile, that member shall be required to act in the same manner as if their domicile is Mission, Texas.

9...Dogs and cats must be restrained by a leash held by an adult human aged 18 years or older, at all times whenever not confined within an adequately fenced owners' property. No animals allowed to run at-large (City of Mission Sec 14-74).

10..Dogs or cats may roam freely only within the confines of owner's adequately fenced back yard; which shall be defined as an area fully surrounded by a gated or non-gated wooden fence 6 feet in height from the ground, and under which an animal cannot dig its way into or out of the enclosure. So-called "invisible fences" or electric wire fences are prohibited. Any new fence shall require a permit from the Mission Manor Architectural Committee and/or the City of Mission.

11..It is unlawful to keep any dog in the city which by loud, frequent barking or howling shall cause an annoyance and disturb the peace and quiet of any person. Any such person who believes that there has been a violation of this section shall file a complaint directly with the animal control officer (City of Mission 14-75)

12..No dogs or cats shall be allowed in any Common Area owned or maintained by the Association. All domestic animals are specifically excluded from entering the waters of the pond.

13..An animal's owner is responsible for the removal and proper disposal of defecation (poop) dropped by their animal regardless of the location (public or private, including streets) within the area under the jurisdiction of the Association (a/k/a Mission Manor Phase II). A person with a certified disability using a recognized disability-assistance dog is exempt from this provision unless accompanied by an able-bodied person (City of Mission Sec 14-124)

14..A dangerous or vicious dog means any dog that is capable of, or by past record or performance, has bitten, injured, scratched or disturbed a person or another animal. The owner of a dog of such character that cannot be restrained by use of a muzzle shall be required to immediately and permanently remove said animal from the area under the jurisdiction of the Association (a/k/a Mission Manor Phase II). Any person who believes that there has been a violation of this section shall file a complaint directly with the City of Mission animal control officer.

15..The feeding of wild animals anywhere within the Association is prohibited. Members, their tenants, assigns, or guests, SHALL NOT FEED the wild ducks or other wild birds or any wild animals that may occasionally frequent the pond area. Exception: small hanging hummingbird liquid feeders are allowed in the back yard of any member's home.

16..Members are responsible for any and all damages caused by their pets, including but not limited to personal damage and injury, and/or property damage and/or injury to any other member, guest, tenant or to the Association. Members specifically indemnify the Association, its officers and members from any liability for the actions of animals within the Association.

17..Members having complaints regarding the actions of animals and/or animal owners that do not reside within Mission Manor Phase II, the area of Association, which actions occurred within the area of the Association, shall make those complaints directly to the animal control officer of the City of Mission. Members are advised to provide photographic or videographic evidence when making such a complaint.

18..Exceptions (“grandfather clause”)

Dogs or cats residing within the area of the Association (Mission Manor Phase II) for a verifiable period of at least 90 (ninety) continuous calendar days prior to the adoption of this Pet Policy shall be exempted from the following provisions only:

Item 6 – implantation of identifying microchip

Item 7 – must be spayed or neutered

19..Enforcement

a)...The Board of Directors may determine it necessary to file complaint(s) for any violation of the City Animal Code referenced within this Pet Policy with the City of Mission, Animal Control Officer, or Police Department. In cases of continued and/or gross violation(s), the Board of Directors may determine it necessary to contact the City of Mission Legal Department (City Attorney), seeking prosecution of violators in City Court or such other court of ample jurisdiction.

b)...Penalties assessed for violation of any of those portions of this Pet Policy which are specific to the Association shall be governed by Article XII of the Covenants “Enforcement of Covenants and Restrictions”. The Board of Directors may assess any other penalties that are allowed by law.

Adopted by the Board of Directors

On this ____ day of _____ 2023

J. Elaine Botelho

Secretary of the Corporation

SEAL

Mission Manor Pet Policy

Addendum

Preexisting animals over the established weight limit

All domestic animals living within Mission Manor Phase II (our Association) are subject to all provisions of this PET POLICY unless specifically excepted therein.

Mission Manor Covenants and Restrictions Section 6.10 clearly establishes the maximum weight limit of such animals. Said Covenants and Restrictions, including Section 6.10, were adopted and originally recorded as document 1987-00023198 in the records of Hidalgo County, Texas. The most recent Amended Covenants and Restrictions were recorded on February 20, 2018 as Hidalgo County Document 2890054.

As such, all animals have, since the inception of the Association, been and continue to be subject to the maximum weight limit as established in Mission Manor Covenants Section 6.10.

All Lot owners are required to acknowledge the Covenants and Restrictions at the time of the purchase of the lot. A rental or lease agreement cannot absolve the Lot Owner from the obligations created under the Covenants and Restrictions. It is the responsibility of the Lot Owner to assure that any tenant is informed of those obligations. The Lot Owner remains subject to any fines and/or penalties resulting from a violation of said Covenants and Restrictions originating on Owner's Lot.

Therefore, any animal living within Mission Manor Phase II (our Association) prior to the adoption of this Pet Policy and found to be above the maximum weight is now, and has been, in violation of said Covenants Section 6.10.

Any animal living on any lot within Mission Manor Phase II (our Association) prior to the adoption of this Pet Policy and found to exceed the established weight limit **cannot** be exempted or “grandfathered”, as a violation of Section 6.10 already exists.

The Board of Directors will establish a method for determining if any animal living within the area of the Association at the time of the adoption of this Pet Policy is in violation and establish such fines and/or penalties as it deems appropriate.

This addendum adopted and made a part of Mission Manor Homeowners Association Inc, Pet Policy by vote of the Board of Directors on this _____ day of _____ 2023

Secretary

SEAL



03-090-2023-3463498

Hidalgo County
 Arturo Guajardo Jr.
 County Clerk
 Edinburg, Texas 78540

Document No: 3463498

Billable Pages: 6

Recorded On: July 11, 2023 11:39 AM

Number of Pages: 7

CERTIFICATE

*****Examined and Charged as Follows*****

Total Recording: \$ 56.00

*****THIS PAGE IS PART OF THE DOCUMENT*****

Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY
 because of race or race is invalid and unenforceable under federal law.

File Information:

Document No: 3463498
 Receipt No: 20230711000186
 Recorded On: July 11, 2023 11:39 AM
 Deputy Clerk: Rogelio Hernandez
 Station: CH-1-CC-K31

Record and Return To:

Oscar Alvarez
 600 S 11th St
 Original Returned to Customer
 MCALLEN TX 78501



STATE OF TEXAS
 COUNTY OF HIDALGO

I hereby certify that this instrument was filed in the file number sequence on the date/time
 printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas.

Arturo Guajardo Jr.
 County Clerk
 Hidalgo County, Texas