

RESOLUTION

The following action was taken at the duly noticed and held meeting of the Board of Directors (the ~~%Board+~~) of the Lake Don Pedro Owners Association (the ~~%Association+~~) on _____, 2019, at which at least a quorum of the Directors were present. Notice of this proposed action was provided to all Association members as of _____.

The Association is the owners association formed to manage the Lake Don Pedro residential planned development located partly in Mariposa County and partly in Tuolumne County, California (the ~~%Development+~~); and

The Association has the power to enforce the provisions of the various Declarations of Restrictions that encumber the Development and the other governing documents of the Association (the ~~%Governing Documents+~~); and

The Board acknowledges that the subdivision was designed to accommodate horse owners; and

The Board also acknowledges and understands that many property owners desiring a rural lifestyle buy property in the Development in order to have other livestock for supplemental personal food supplies (such as milk, meat and eggs,) or pleasure, and that various county ordinances have permitted and previously regulated these types of uses; and

Changes in county ordinances have removed regulations limiting the density of livestock population per acre; and

Population growth and development in the Development have sharply increased complaints and other problems associated with the failure to regulate the amount of livestock per acre, including but not limited to severe neglect, animal slaughtering, animal waste and runoff, odor, excessive noise and other related animal nuisances; and

The Association desires to encourage good land management practices and animal stewardship, and to prevent poor practices from rising to the level of nuisances and animal neglect/abuse.

IT IS THEREFORE RESOLVED that the following rules and restrictions shall apply to livestock allowed in the Development:

1) Livestock:

- a. "Livestock" for purposes of this Resolution is defined as horses, mules, cows, goats, sheep, llamas, chickens and roosters that are generally used in ranching, farming, personal food production, pets or for pleasure.
- b. Large animals are horses, mules and cattle.
- c. Medium animals are goats, sheep and llamas.
- d. Small animals are chickens and roosters.

- e. Exclusions: Beehives, bulls, and pigs.

2) Calculating Livestock Allotments:

- a. Livestock may only be housed on a parcel containing the primary residence of the property owner or full-time tenant (referred to as the “residential parcel”). The acreage of that parcel containing the primary residence of the property owner or full-time tenant will determine the animal allotment. Separately owned parcels will not be included or combined with the residential parcel for purposes of calculating the allotment.
- b. Owners or full-time tenants with livestock may not utilize another owner’s or full-time tenant’s property for increasing the allotment or expanding animal space and housing, regardless of whether it is open land or contains a primary residence.

3) Livestock Allotments:

- a. One (1) Acre: Two (2) horses or mules (or any combination), OR three (3) medium animals, and six (6) chickens for eggs and one (1) rooster.
- b. Two (2) to Three (3) Acres: Two (2) horses or mules (or any combination), three (3) medium animals and six (6) chickens for eggs and one (1) rooster.
- c. Four (4) to Six (6) Acres: Four (4) horses or mules (or any combination), two (2) medium animals and six (6) chickens for eggs and one (1) rooster.
- d. Seven (7) to Ten (10) Acres: Eight (8) horses, mules or cows, or any combination of those, eight (8) medium animals and twelve (12) chickens for eggs and one (1) rooster.
- e. Fifteen (15) Acres: Twelve (12) horses, mules or cows, or any combination of those, twelve (12) medium animals and twelve (12) chickens for eggs and one (1) rooster.
- f. Twenty (20) or more Acres: Sixteen (16) horses, mules or cows, or any combination of those, sixteen (16) medium animals and twelve (12) chickens for eggs and one (1) rooster.

4) Exceptions/Variations:

- a. Property owners or full-time tenants may apply to the Association for a variance from the allowable livestock on fifteen (15) or more acres.
- b. Children raising livestock for FFA or 4-H may apply to the Association for a variance from the allowable livestock and allotment on any residential parcel.

5) Cattle:

- a. Cows, calves and heifers are allowed only on residential parcels of ten (10) or more acres, as listed in Section 3 above.

- b. Calves may nurse until weaned, which is usually about seven (7) to eight (8) months. A weaned calf shall count as a fully-grown cow for purposes of the allotments listed in Section 3 above. If the amount of cattle exceeds the allotment allowed by acreage, the owner must conform to the animal requirement listed above.

6) Grazing:

- a. Animals may be grazed on other open land parcels owned by the property owner. All such parcels must be properly enclosed. When the land has been grazed, all animals must be returned to the residential parcel.
- b. Property owners may contract with a grazing company to clear open land. Any such agreement is between the property owner and contracting company. The Association assumes no risk or liability by such arrangement.

7) Excluded Activities:

The following activities are not allowed in the Association:

- a. Slaughtering of animals on any property within the Association.
- b. Stocking open land with any animals, including livestock.

8) Livestock Confinement:

- a. All residential and grazing parcels must be appropriately and adequately fenced. All livestock must be confined to parcels at all times.
- b. Horses and mules may be used off property and on pedestrian/equestrian easements but must be under direct control at all times.

9) Nuisances: Property owners and full-time tenants shall maintain livestock and property in a manner that does not create a nuisance for other owners and tenants. All reasonable measures must be taken to confine or legally dispose of animal waste and to mitigate odors, flies and excessive animal noise.

10) Enforcement: Violations shall be enforced in accordance with Resolutions 14-2 and 19-1, and by any other legal means available.

It is hereby resolved, that this Resolution is passed and adopted on the ____ day of _____, 2019 by the following vote:

Ayes:

Nays: