

Pet Rules

Table of Contents

INTRODUCTION	2
PET LIMITATIONS	2
REGISTRATION	2
PET DEPOSITS	3
ANIMAL RESTRAINTS/BEHAVIOR	3
SANITARY STANDARDS	4
DAMAGES	4
RESPONSIBILITIES OF PERSONS WITH PETS	4
HEALTH, VETERINARY CARE AND INOCULATIONS	4
NEGLECT OR POOR HEALTH	4
LICENSING	5
GAMING AND/OR ABUSE	5
OTHER CONDITIONS	5
REMOVAL OF ANIMALS	5
ABANDONMENT	5
UNCLEANLINESS	6
UNSUPERVISED ANIMALS	6
AGGRESSIVE BEHAVIOR OR JUMPING	6
DISRUPTIVE BEHAVIOR	6
DEATH, INCARCERATION, HOSPITALIZATION OR ABANDONMENT OF THE UNIT BY A SOLE HOUSEHOLD MEMBER	6
NOTICE OF ANIMAL REMOVAL	6
AREAS OFF LIMITS TO ALL ANIMALS	7
CONFLICTING DISABILITIES	7
PROCEDURES WHEN PET RULES ARE VIOLATED	7



Pet Rules

INTRODUCTION

24 CFR Sec. 5.350 requires that the Portsmouth Housing Authority (PHA) establish Pet Rules.

The Portsmouth Housing Authority (PHA) has established Pet Rules to ensure the community is maintained in a decent, safe and sanitary manner and that all residents are allowed to live in peace and quiet comfort. These Pet Rules are considered an attachment to the lease. These rules are applicable to all residents especially residents who have submitted a request to house an animal.

All animals, including assistance animals, must be approved and registered before the animal is allowed to live in the unit.

PET LIMITATIONS

Please see Assistance Animal Rules for information about Assistance Animals, Service Animals, Therapy Animals, Support Animals and/or Companion Animals.

Pets are limited to common household pets which are defined by HUD as: a domesticated animal such as a dog, cat, small bird, or fish that is traditionally kept in the home for pleasure rather than for commercial purposes. The following pet standards apply:

1. Each resident household is allowed one (1) cat, small bird, or fish; (1) dog is permitted at Elderly/disabled properties only; no additional pets will be allowed

Animals that have not reached their full growth potential will have their initial registration size qualification determined by the average size and weight for their particular breed when fully grown. If the breed of the pet is questionable, it will be assumed to mature to the size that has been determined by a qualified Veterinarian provided in writing to Management.

2. Female cats and dogs over six months of age must be spayed.
3. Male cats and dogs over six months of age must be neutered.

Note: If the animal's age, health, or other physical circumstances make the neutering/spaying procedure potentially hazardous to the animal's health, then written verification from a licensed Veterinarian of the animal's physical condition must be provided before any registration will be approved.

4. If the resident household does not have a dog or cat, the household is allowed two (2) pets (total of 2 pets) of the following species: birds
5. In the event the pets should produce offspring, each resident will be responsible for maintaining compliance with this limitation.
6. Birds of Prey are not permitted
7. Aquariums will be limited to a total tank capacity of 5 gallons with the number of individual tanks being limited to one per household
8. Reptiles, including turtles and lizards/bearded dragons are not permitted
9. Spiders, rodents and other exotic pets are not permitted
10. Birds must be kept in a cage

REGISTRATION

All applicants/residents must receive approval from the Portsmouth Housing Authority (PHA) **before** allowing the animal to live in the unit. The applicant/resident must register the animal **before** it is brought onto the property, and must update the registration at least annually during the annual certification process.



Pet Rules

The registration will include:

1. Proof that the dog is registered with the city of Portsmouth annually.
2. A certificate signed by a licensed veterinarian or a state or local authority empowered to inoculate animals (or designated agent of such an authority) stating that the animal has received all inoculations required by applicable state and local law
3. Information sufficient to identify the animal
4. The name, address, and phone number of one or more responsible parties who will care for the animal if the resident is hospitalized, dies, is incapacitated, is incarcerated or is otherwise unable to care for the animal

The Portsmouth Housing Authority (PHA) may refuse to approve a registration request if:

1. The animal owner fails to provide complete registration information
2. The Portsmouth Housing Authority (PHA) has documented information that indicates, based on the resident's habits and practices, that the resident will be unable to keep the animal in compliance with the rules or/and other lease obligations
3. The animal poses a threat to the health or safety of other residents, guests, vendors/service providers or property staff
4. The animal would interfere with other residents' peaceful enjoyment of the property
5. The presence of the animal would change the nature of the program or cause undue financial and administrative burden
6. The resident has a history of animal neglect or abuse

The Portsmouth Housing Authority (PHA) will notify the resident if the Portsmouth Housing Authority (PHA) intends to refuse to register a pet. The notice shall state the basis for the action and shall be served on the resident/applicant in accordance with HUD requirements.

PET DEPOSITS

The Portsmouth Housing Authority does not charge or collect a pet or assistance deposit.

ANIMAL RESTRAINTS/BEHAVIOR

The resident is required to maintain control of the animal at all times.

Animals must be caged or on a leash, if appropriate for the animal, unless the animal is within the confines of the resident's unit. This rule will not apply if such restraint would hinder the animals' ability to perform required services. **Visiting animals are NOT allowed on PHA property unless it's a service animal.**

Animals must not be allowed to jump on, impede or otherwise limit any property staff, vendor, resident or guest's use of the property including public and common areas.

Unattended animals will not be allowed outside the apartment at any time. All animals must be under the control of a responsible individual while on the public and common areas of the property.

Animals are not permitted to be "penned" or "caged" on balconies or patios (if applicable) during the night or while the resident is away from the apartment. No screening, fencing, etc., may be added to any balcony/patio area or to the property grounds. Animals may not be leashed or tied to any interior or exterior building fixture at any time.

Animals must not be allowed to make noise that would disturb other residents.

No animal that bites, attacks, or demonstrates other aggressive behavior towards humans or other animals may be kept on the premises.



SANITARY STANDARDS

Pet owners must remove and properly dispose of all removable animal waste. Failure to do so is considered a minor lease violation and is a violation of city ordinances.

Section 6.709: REMOVAL OF DOG WASTE REQUIRED

The owner, keeper or person in control of any dog shall be responsible for the removal of any defecation deposited by such dog on any public or private property.

Penalties, Impoundment and Enforcement

Section 6.710: PENALTIES

An offense of any provision of this chapter by any person shall be deemed a violation and shall be punishable by the following penalties:

1. First offense. A first offense of any provision of this chapter in any twelve month period shall be punishable by a fine of sixty two dollars (\$62.00)
2. Second offense. A second offense of any provision of this chapter in any twelve month period shall be punishable by a fine of one hundred twenty four dollars (\$124.00).
3. Third and subsequent offenses. A third or subsequent offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of two hundred forty eight dollars (\$248.00).

In addition to the penalties provided in this section, any animal found in violation of this chapter may be impounded as provided in Section 6.711 of this chapter. City of Portsmouth, NH Ordinances Page 17 Chapter 6

In the case of cats and other assistance animals using litter boxes or kept in cages, the PHA requires pet and assistance animal owners to change the litter and/or clean cages at least twice a week. Litter boxes must be cleaned daily. Products that are commonly used to houstrain assistance animals must be disposed of daily.

Three or more instances of minor lease violations may result in additional penalties up to and including termination of tenancy (eviction).

DAMAGES

Pet owners are solely responsible for any damage to persons or property caused by their animals. Costs to repair damages may be assessed at any time and are due within thirty (30) days of invoice/charge.

RESPONSIBILITIES OF PERSONS WITH PETS

Care and supervision of the animal is the responsibility of the animal owner.

HEALTH, VETERINARY CARE AND INOCULATIONS

For dogs, cats and other animals as appropriate, applicants and/or residents will be required to provide a current "Animal Health Record" provided by a licensed veterinarian.

Residents will be required to provide a current "Animal Health Record" at least annually at each certification. Animal owners must have record of inoculation in accordance with state and local laws.

As appropriate, animals must have current vaccination against rabies and wear a rabies vaccination tag. If it is discovered that the animals does not have proper vaccinations, the resident will have ten (10) business days to remedy the situation or remove the animal.

NEGLECT OR POOR HEALTH

Animals that are ill or in poor health must not be taken into common or public areas. An owner with an ill animal may be required to remove the animal from the property.

If an animal appears to be neglected, animal control may be contacted to determine the need for removal.



LICENSING

The City of Portsmouth Section 6.708: LICENSE

Every owner of a dog more than four (4) months old shall be required to license such dog within 30 days of ownership and annually thereafter with the City Clerk in the manner proscribed by RSA 466 as it may be from time to time amended. Failure to license any dog as provided in this section shall be a violation and the penalty shall be \$25.00 and not those penalties set forth in Section 6.710.

Section 6.710: PENALTIES

An offense of any provision of the city ordinance by any person shall be deemed a violation and shall be punishable by the following penalties:

1. First offense. A first offense of any provision of this ordinance in any twelve month period shall be punishable by a fine of sixty two dollars (\$62.00)
2. Second offense. A second offense of any provision of this ordinance in any twelve month period shall be punishable by a fine of one hundred twenty four dollars (\$124.00).
3. Third and subsequent offenses. A third or subsequent offense of any provision of this ordinance in any twelve-month period shall be punishable by a fine of two hundred forty eight dollars (\$248.00).

In addition to the penalties provided in this section, any animal found in violation may be impounded as provided in Section 6.711 of the city ordinance.

GAMING AND/OR ABUSE

Animals involved in gaming (cockfighting, dogfights, etc.) are victims of abuse and local animal control agencies and law enforcement (as appropriate) will be contacted to investigate any suspected instances of gaming and/or other abuse.

OTHER CONDITIONS

The Portsmouth Housing Authority (PHA) may place other reasonable conditions or restrictions on the animals depending on the nature and characteristics of the animal.

REMOVAL OF ANIMALS

The Portsmouth Housing Authority (PHA) may exclude or remove any animal from the premises if:

- The animal is out of control and the animal's handler does not take effective action to control it;
- The animal is not housebroken; or
- The animal's behavior poses a direct threat to the health and safety of others.

If a pet is excluded or removed for being a direct threat to others, the resident has the option of continuing access to common or public areas without the assistance animal.

A resident may be required to remove their animal from the property if the resident fails to comply with this policy.

If the resident fails to remove the animal in accordance with the notice from the Portsmouth Housing Authority (PHA), the Portsmouth Housing Authority (PHA) reserves the right to contact a local animal control organization to have them remove the animal. The Portsmouth Housing Authority (PHA) is not responsible for the care or return of the animal.

Reasons to remove a pet include, but are not limited to:

ABANDONMENT

Dogs may not be left unattended in an apartment for more than a twenty-four (24) hour period. The animal owner must arrange for the dog to be taken out of the unit for exercise. The dog owner must arrange for someone to care for the dog and ensure that the dog does not defecate or urinate in the apartment, on balconies or in public or common areas. Dogs and cats will be required to be boarded, off the premises, when the owner(s) is/are absent for a period longer than twenty-four (24) hours.

Pet Rules

When an owner is absent, animals may be attended to in the pet owner's apartment by other individuals only when prior written approval has been provided. The Portsmouth Housing Authority (PHA) **will not** accept responsibility for providing access to the apartment for this purpose.

Animals found unattended in excess of the twenty-four (24) hour period will be removed from the premises to either the documented alternative guardian listed in the animal's registration.

If the alternative guardian cannot assume immediate responsibility for the animal, the animal will be placed in the care of a local animal control organization. The Portsmouth Housing Authority (PHA) is not responsible for the care or return of the animal.

UNCLEANLINESS

If an animal is caged or crated, that cage or crate must be kept in a decent, safe and sanitary manner and must be of the appropriate size for the animal.

Animal owners who fail to properly clean up and dispose of the animal's waste may be required to remove the animal from the property. If the presence of the animal or actions of the animal owner causes unsanitary conditions in the unit or in any public or common area, the animal may be removed.

UNSUPERVISED ANIMALS

Animals that are allowed outside an apartment without proper supervision or restraints, as outlined in the policy, will be removed and will not be allowed to return.

AGGRESSIVE BEHAVIOR OR JUMPING

If an animal bites or jumps on people, the resident agrees to take proper steps to restrain the animal. Multiple reports of such incidences will result in a requirement to restrict access or remove the animal from the property. Animals must not attack or interfere with other animals owned by residents, guest or service providers.

Removal will be considered if the animal bites or jumps on other residents, property staff, guests, vendors, service providers or other animals living in units on the property.

DISRUPTIVE BEHAVIOR

The resident agrees to immediately remove the animal if its behavior is unruly or disruptive (e.g., barking, growling, running around, or displaying aggressive behavior). The animal may not prevent other residents from living on the community in peace and quiet comfort.

DEATH, INCARCERATION, HOSPITALIZATION OR ABANDONMENT OF THE UNIT BY A SOLE HOUSEHOLD MEMBER

If the Portsmouth Housing Authority (PHA) discovers that the sole household member has died, been incarcerated, has been hospitalized or has abandoned the unit, the animal will be removed from the premises either to the documented alternative guardian listed in the animal's registration. If the alternative guardian cannot assume immediate responsibility for the animal, the animal will be placed in the care of a local animal control organization. The Portsmouth Housing Authority (PHA) is not responsible for the care or return of the animal.

NOTICE OF ANIMAL REMOVAL

The Portsmouth Housing Authority (PHA) will issue a notice for the removal of the animal if:

- The animal owner and property owner are unable to resolve the assistance animal rule violation at the meeting; or
- It is determined that the animal owner has failed to correct the assistance animal rule violation.

Initiation of procedures to terminate a animal owner's tenancy.

The Portsmouth Housing Authority (PHA) will not initiate procedures to terminate an animal owner's tenancy based on a pet rule violation, unless:

- The animal owner has failed to remove the animal or correct a pet rule violation within the applicable time period; and



Pet Rules

- The pet rule violation is sufficient to begin procedures to terminate the animal owner's tenancy under the terms of the lease and applicable regulations.

The property owner may initiate procedures at any time in accordance with the provision of applicable state or local laws.

AREAS OFF LIMITS TO ALL ANIMALS

The Portsmouth Housing Authority (PHA) may prohibit animals in certain locations due to health and safety restrictions (e.g. where the animals may be in danger, or where their use may interfere with management).

Restricted areas may include, but are not limited to, the following areas: food preparation areas, custodial closets, boiler rooms, facility equipment rooms, areas where protective clothing is necessary, wood, and metal shops, motor pools, and rooms with heavy machinery.

Exceptions to this rule may be granted on a case-by-case basis by contacting the Portsmouth Housing Authority (PHA).

CONFLICTING DISABILITIES

Residents with medical condition(s) that are affected by animals (respiratory diseases, asthma, severe allergies) should contact the Portsmouth Housing Authority (PHA) if they have a health or safety related concern about exposure to an animal. The individual will be asked to provide medical verification.

The Portsmouth Housing Authority (PHA) will resolve any conflict in a timely manner, considering the conflicting needs and/or accommodations of all persons involved.

PROCEDURES WHEN PET RULES ARE VIOLATED

If a pet owner has violated a pet rule, the property owner may serve a written notice of a pet rule violation to the pet owner. The notice will contain:

- A description of the pet rule(s) alleged to be violated
- A brief factual statement of how the pet violation was determined

The pet owner will have ten (10) days from the effective date of service of the notice to correct the alleged violation, or to make a written request for a meeting to discuss it.

If the pet owner makes a timely request for a meeting to discuss an alleged pet rule violation, the Portsmouth Housing Authority (PHA) will establish a mutually agreeable time and place for the meeting. The meeting will take place no more than fifteen (15) days from the effective date of the notice, unless the Portsmouth Housing Authority (PHA) agrees to a later date.

If the pet owner schedules a meeting, that the pet owner is entitled to be accompanied by another person of his/her choice at the meeting.

As a result of the meeting, the property owner may give the pet owner additional time to correct the violation.

A pet owner's failure to correct the violation, request a meeting, or appear at a requested meeting may result in initiation of procedures to terminate the pet owner's tenancy.



Pet Rules

I hereby certify that I have carefully reviewed all information included in the Pet Rules and that I agree to abide by the rules described. I understand that failure to do so will be considered a lease violation and can result in penalties including removal of the animal and eviction from the property.

Resident Name (please print)

Resident Signature

Date

Resident Name (please print)

Resident Signature

Date

Management Representative Name (please print)

Management Representative

Date

Apartment Community Name

Portsmouth Housing Authority does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.

The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's regulations implementing Section 504).

Name: **Norma Laurent**
Address: **245 Middle St**
City: **Portsmouth** State: **NH** Zip: **03801**
Telephone – Voice: **603-436-4310 x112**
Telephone – TTY: **800-545-1833 x825**

