

Dear Top of the World Homeowners,

Our community is known to be one of the few on Snowshoe Mountain that welcomes its Homeowners to include their family pets under our collective roof.

In the spirit of continuing to maintain this reputation for years to come, the Executive Board wishes to revisit existing guidance on pets and to provide explicit clarification and expectations to homeowners to help address what may constitute a nuisance or unreasonable disturbance, as referenced in our shared by-laws.

As a reminder, the current by-laws stipulate the following:

“No animals or pets of any kind shall be kept in any Apartment or any Property of the Condominium except with written consent of, and subject to, the Rules and Regulations adopted by the Executive Board of the Unit Owners Association; provided, however, that in no case, shall they be kept, bred or maintained for any commercial purpose; and provided, further, any animal or pet causing or creating a nuisance or unreasonable disturbance may be permanently removed from the Property by the Executive Board upon three (3) days written notice to the owner thereof. Once permission to allow a pet to be kept in any Apartment is given, it shall not be withdrawn or terminated unless such pet has caused or created a nuisance or unreasonable disturbance provided herein.”

To that end, the Board is requesting all homeowners with pets, to email board@topoftheworldwv.com and provide the following information:

Your Name(s), Unit(s) Number, Pet Name(s), Type of Pet (e.g. Dog, Cat, Guinea Pig), Breed (e.g. Labrador, Shepard, Mixed Breed), Color (e.g. Black, Orange Tabby)

The Board will acknowledge receipt and formally respond regarding your pet’s status as a registered Top of the World resident in keeping with our by-laws. On a go-forward basis, any new pets and homeowners with new pets are expected to notify the board of their intention to house pets at Top of the World and receive permission, before doing so.

Also keeping with our by-laws, it is necessary to provide clarification of expectations of pet owners, not only with the pet owners but with our broader community, to help address any concerns of nuisance or unreasonable disturbances.

- Pets must be contained within a homeowner’s individual unit and are not permitted to roam through the building without its owner escorting them on a leash or in a carrier*. Further, that this is truly a matter of safety not only for our human residents, but also our pet residents, this is something that cannot be dismissed Monday through Thursday or in off seasons when, presumably there are fewer people in the building.
- The Board wishes to remind homeowners that Pocahontas County also has a leash law which states “Dogs not on property owned or leased by the owner of the dog shall be kept on a leash.” As homeowners at Top of the World, we don’t own or lease anything outside the building, and, in fact, nothing on the first floor nor are the hallways owned or operated by any residents. Therefore, anything outside the doors of each homeowner’s unit are technically accountable to

this law and Sheriffs (and their designees) are authorized to seize and detain dogs not on a leash.

- Homeowners are responsible and may be held responsible for their animals' behavior – this includes excessive pet noise from within their units. This may include, at the Board's discretion, no longer permitting your pet to reside within Top of World.
- The Top of the World Board will not approve short term renters to house pets. Long term renters (greater than 30 days) may be given consideration, only at the homeowner's request and provided the renter and homeowner provide the same notification as homeowners and agree, jointly, to ensure the pets are not considered nuisances nor unreasonable disturbances.
- Top of the World will limit the number of pets per unit to two pets within any given unit, any night. Meaning if an owner owns 5 units, they cannot keep 10 animals in one of their owned units for a weekend.
- As a matter of courtesy, pet waste is to be discarded in a tactful manner – for example, it is considered both a nuisance and an unreasonable disturbance to discard pet waste/pads out of a window.
- Additionally, any pet supplies used for feeding, bathing, leashing and waste disposal are to be kept within the owner's unit and not left unattended for periods of time outside the owner's unit and/or in public spaces including outside the building. Any homeowner, at their discretion, may dispose of any items fitting this description in order to help maintain a more orderly presence within our building.

In closing, the Board wishes to reiterate, again, the joy it brings so many to have entire families, including their pets, be able to enjoy their Snowshoe respite and we thank you all for your cooperation in helping us continue this tradition while keeping our pets and residents safe, comfortable and welcomed.

Thank you,
TOW Board of Directors