

WAILUKU COUNTRY ESTATES COMMUNITY ASSOCIATION, INC.

AGRICULTURAL USE RULES AND REGULATIONS

A. INTRODUCTION

The Declaration of Covenants, Conditions, and Restrictions for Wailuku Country Estate (“Declaration”) provides that Wailuku Country Estates shall be used for agricultural purposes consistent with the Zoning Laws, the Declaration and all other applicable local, state and federal laws and regulations.

Article XVI, Section 16.2 of the Declaration provides that it is the intention of the Association to monitor and enforce the Agricultural Use within the Property. Section 16.7 states: “The Board of Directors shall have the authority to adopt additional rules, restrictions, and regulations with regard to the Agricultural Use of the Property.”

In order to preserve the beauty of Wailuku Country Estates, to promote the health and well being of animals at the Property, and avoid nuisance to homeowners and guests, the Board of Directors, on behalf of the Association, adopts these Agricultural Use Rules and Regulations (“Rules and Regulations”).

Any capitalized terms herein not defined herein shall adopt the definitions identified in the Declaration.

B. LIVESTOCK; PETS

1. “Livestock” shall mean cattle, horses, poultry, and similar animals kept for domestic and/or farming use but not as pets.
2. Except for roosters, hens, ducks, geese, pheasants, turkeys, sheep and goats, each Lot shall be restricted to no more than three (3) Livestock.
3. The following Livestock are permitted at the Property, and the total number of each type of Livestock shall be limited as follows:

LIVESTOCK	TOTAL NUMBER OF LIVESTOCK PERMITTED PER LOT
Horses	2
Goats	10
Roosters	2

Egg-laying Hens	20
Cows	2
Sheep	10
Ducks	10
Llamas	2
Deer	2
Turkeys	2
Pigs	2
Geese	2
Pheasants	2

4. Peacocks are not permitted at the Property.

5. Owners that desire to exceed the number of permissible Livestock or that seek to have Livestock that are not identified in these Rules and Regulations shall first submit a prior written request to the Board of Directors and obtain written Board approval.

6. Unless prior written Board approval is provided, each Lot may have no more than six (6) pets.

C. HEALTH AND SAFETY

Each Owner shall maintain the health and well being of the Livestock to protect against the spread of disease. Owners are encouraged to periodically provide vaccinations to their Livestock. Owners who have Livestock that become ill or diseased shall obtain professional assistance for the care and treatment of the Livestock.

D. ANIMAL CONTROL

1. Animal noise shall be maintained at a reasonable level. Animal noise, such as incessant dog barking, bird squawking and screeching, or other loud and continuous animal noise is a nuisance to neighboring Owners and is prohibited.

2. Animal odors shall be controlled. Ongoing or continuous noxious or offensive odors shall constitute a nuisance to neighboring Owners and is prohibited.

3. Animals may not graze or trespass on the Common Area.

E. ENCLOSURES; HOUSING

Rules and regulations concerning animal enclosures and structures are identified in Wailuku Country Estates Architectural Guidelines.

F. ENFORCEMENT

1. The Declaration, Bylaws and Initial Restriction and Rules provide the authority and vehicle for enforcement of these Rules and Regulations.
2. Complaints regarding violation of these Rules and Regulations shall be submitted to the managing agent in writing. The managing agent shall timely provide complaints to the Board of Directors. Violations and sanctions shall be issued in accordance with Section 3.12 of the Bylaws.
3. Any and all disputes arising or relating to these Rules and Regulations shall be subject to the Dispute Resolution Procedures set forth in Article XIII of the Declaration.
4. These Rules and Regulations are effective April 24, 2013. Owners that may be in violation of these Rules and Regulations as of the effective date shall have six (6) months from the effective date to cure any violations of these Rules and Regulations.

CERTIFICATION

I, the undersigned, do hereby certify:

That I am the duly elected and acting Secretary of Wailuku Country Estates Community Association, Inc.;

That the foregoing constitutes the Agricultural Use Rules and Regulations of the Association, as duly adopted at a meeting of the Board of Directors thereof held on April 24, 2013 _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 24 day of April _____, 2013.



Signature

Stephen Duarte

Printed Name

Secretary of Wailuku Country Estates Community
Association, Inc.