## Nuisance Wildlife Policy # 8

The following Policy #9 was adopted and made part of the minutes of the regular meeting of Fox Hills Homeowners e Association conducted on the \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2025.

The purpose of this policy is to set forth to clarify what animals constitute a 'nuisance'; identify clearly the rights of the HOA and Homeowners with respect to removal of animals.

Fox Hills Subdivision, although within the city limits of Montrose, is surrounded by both county farm and ranch land and a large parcel of public land that is rich is wildlife of all kinds. Deer and Elk can be seen on properties year-round. The State of Colorado also recognizes this and has established laws at the state level that must be followed with respect to wildlife. The homeowner association must also recognize that county and city laws must also be followed and in some cases may even be more restrictive than those of the State of Colorado. Colorado's wildlife statutes can be found online at: [http://cpw.state.co/us/aboutus/Pages/RulesRegs.aspx.](http://cpw.state.co/us/aboutus/Pages/RulesRegs.aspx)

Nuisance Animals

Nuisance Animals are generally any species that cause damage to people, crops, real or personal property or livestock. The most common animals in our area include deer, raccoons, jackrabbits, badgers, prairie dogs, rock squirrels, porcupines, mice, skunks, rats, etc. For a complete list, refer to the above Colorado Wildlife Statute.

Rights of Owners (or Owner's Agent)

All such nuisance animals can be removed by an owner or the owner's agent of a landowner without securing a license to do so. However, the manner of removal or disposal of animals is also subject to changing statutes, so it is incumbent upon owners to check the most recent statutes.

Fox Hills Common Area

No hunting is permitted and “all pond and common element uses are to be compatible as possible with wildlife uses.” Therefore, the mere presence of the animals does not require action on the part of the association. However, the Fox Hills Homeowners Association will act to remove nuisance wildlife known to be causing damage to real or personal property in the common area with the same right and responsibilities as individual property owners.

Limit of Liability

There are numerous published methods of protecting property against damage. Owners are encouraged to use such methods. Fox Hills Homeowners Association is not responsible for damage done by nuisance animals to individual owners’ lots. Therefore, it is the responsibility of individual lot owners to protect their property within the limits allowed by the state, county and city statutes and ordinances.