

Sheep, Goats, and Guinea Fowl: Selective Enforcement Bites Back

By Shannon Junior

As a vendor in a service-based industry for more than ten years, I have attended my fair share of community association meetings. I have listened to numerous discussions about unmowed lawns, duct-taped mailboxes, and common-area infringement while I waited for my turn to discuss our company's proposal. Yes, usually it is customary to let the vendors speak first, but on rare occasions I have had the intriguing opportunity to listen in on the "dirty laundry" aired at the meetings: scathing jabs about a board member that isn't present, a dispute about whether grilling venison could be considered an "odiferous activity," and a contentious debate about the appropriateness of yard work in a bikini. However, none of these experiences prepared me for the drama, tears, and heated discussion that would unfold at the first meeting that I attended of my own rural residential homeowners' association shortly after I purchased my first home.

It all stemmed from Article Five, Section six of the Protective Covenants: "No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot or on the common area." Sounds pretty basic, right? But then: "However, dogs, cats, ponies, horses, goats, and llamas may be kept on lots so long as they are kept as pets and are not bred, or maintained for commercial purposes, and as long as there are no more than five (5) of each individual species." LLAMAS? Really? It seemed like a strange exception to me, but that was only a fleeting thought as I glanced at the documents on closing day in the midst of signing stacks of paperwork.

As we settled into the neighborhood we realized that in addition to the authorized dog, cat, horse, pony, and goat residents, there were also sheep, chickens, and

guinea fowl, and in most cases there were more than five of each. My husband and I are animal lovers and had five dogs ourselves, so we really weren't concerned with whether or not the neighbors were in compliance with the HOA documents. Besides, when an adorable, emaciated, stray coonhound wandered onto our property a couple of months after we moved in, we were happy that the "five-dog limit" was not being enforced. We also enjoyed the endless supply of free-range eggs offered up by the chickens next-door.

But there was trouble brewing. The lady on the back lot was having problems with her electric fence, and her 19 (yes, NINE-TEEN) goats began wandering onto the adjacent properties. If you've ever seen what a goat can do to a garden, then you understand why our cushy little world of non-compliance came crashing down. Even after several warnings from the board president, the goats continued to wreak havoc on the neighborhood. The whole community began a collective mission to get rid of the goats. But how could we bring enforcement action on a homeowner for exceeding the five-goat limit when literally every HOA member was breaking the rules?

That brings us to the dreadful Saturday HOA meeting – a lengthy ordeal, during which we took the first long look at our covenant documents. We actually found an amendment from 2000 that allowed a dozen poultry, so the chickens and guinea hens were off the table other than the excessive numbers. One of my dogs was a foster that found a home, so with five dogs, my husband and I were the only members truly in compliance. Other than the 19 vagrant goats, the remaining issues were the president's five sheep (REALLY, though, what's the difference between a goat and a

sheep?), and a few extra chickens here and there. But after four hours of tearful pleas, promises of fence repairs, and the eventual presentation of a letter from a lawyer, we were left with a stalemate – we couldn't make someone get rid of their excessive goats while we let someone else keep their illegal sheep. So we spent the morning eating quiche made from potentially unauthorized eggs and crafting "Special Allowances" for everyone's animals that would be reviewed and reapproved with an 80% majority vote each year during the annual meeting.

We've been at it for five years now. One neighbor now has six cats, the goat-count is up to twenty-three, and there are chickens everywhere. Next year, my husband wants to stir things up and ask for an emu allowance. I bet we'll get it. 📺

Shannon Junior is an Aquatic Ecologist with Virginia Lake Management. Ms. Junior has worked in the pond and lake management industry in Northern Virginia for eight years. She is a member of the *Quorum*TM Editorial Committee.

What's happening? If you've had an interesting experience while working with or living in community associations, write about it in 650 words or less for Cul de Sac. Email your article to info@caidc.org.