

Emery Bay Village Homeowners Association

NOISE POLICY

All noise must be kept to a minimum throughout the complex pursuant to the Association's CC&Rs (Article V, Section 5.1.6). (This changes to Article 5, Section 5.5 in the new CCR's)

1. Emery Bay Village Homeowners Association complies with all of the Noise requirements set forth by the federal, state and local governmental authorities and all laws, ordinances, rules and regulations that are applicable.
2. The following hours will be used as the principle guidelines for Emery Bay Village Homeowner Association "**Noise Restrictive Hours**" Policy.
 - **Sunday thru Thursday: 9:00 P.M. to 8:00 A.M.**
 - **Friday and Saturday: 11:00 P.M. to 9:00 A.M.**
3. Owners, tenants and occupants shall avoid making or permitting to be made loud, disturbing or objectionable noises and avoid using, playing or permitting to be used or played musical instruments, radios, phonographs, televisions, amplifiers and any other instruments or devices in such manner as may unreasonably disturb owners, tenants or occupants of other units at any time, but especially during Noise Restrictive Hours.
4. Homeowners are urged to exercise restraint in using noise-making tools and appliances and avoid using them during Noise Restrictive Hours.
5. Reasonable and respectful noise restraint pertains to all common areas. This includes activities in the common area or during the act of moving thru the common area.

Penalties

1. \$25 per occurrence. If the detrimental conduct continues following notification, up to \$100.00 per occurrence may be imposed, at the discretion of the board.

Enforcement

If any of the above policies or rules is deemed in violation, the Board and the management company will proceed as follows:

1. Unit owners found to be in violation are to be notified of:
 - a. The infraction, and
 - b. The Association's intent to assess fines or other proposed enforcement action.
2. The first notice will be in writing to the unit owner stating one (1) or more of the following:
 - a. The violation,
 - b. The time frame for correction,
 - c. Any penalty to be assessed if not corrected in time frame allowed, and
 - d. The opportunity for a hearing.
3. The Board has the final say on the resolution to matters and issues before it.

Secretary Signature: _____

Adopted: This day 24 in the Month of January in the Year of 2002.

Amendment Date: February 28, 2002

Amendment Number: 1