

BOARD POLICIES

West Meadows Estates
Homeowners Association Inc.

Nuisance Noise

Effective: September 16, 2015

By: 
Mike Eastlund, Board President

Policy 203**1. PURPOSE**

Provide requirements for the control of nuisance noise.

2. PERSONS AFFECTED

Property owners, residents, Board members, officers and employees of the Association.

3. REFERENCES

Fee and Fine Policy: 102

CC&R Standards Committee 201

4. DEFINITIONS

4.1. **BARKING, HOWLING ANIMAL:** An animal that barks or howls persistently for an extended period of time or more than five minutes per hour or on a repeated basis.

4.2. **Excessively Loud Noise:** Any music, or noise making activity measured at 50 decibels above the background noise of the subdivision and which prevents an owner's peaceful enjoyment of their property.

4.3. **Construction Noise:** Noise causing activities from a construction site which prevents an owner's peaceful enjoyment of their property, occurring between 6:00 p.m. and 8:00 a.m.

5. POLICY

5.1. No person or animal shall be allowed to unreasonably annoy residents or to substantially interfere with the quiet enjoyment of others by nuisance noise.

5.2. Owners notified of valid complaint of a barking, howling animal must remove the animal from the subdivision or provide a written plan on how the problem will be resolved.

5.3. Ownership or possession within the subdivision of a barking, howling animal, in which mitigation efforts have failed, is prohibited.

5.4. Causing excessively loud noise within the subdivision, which prevents an owner's peaceful enjoyment of their property, is prohibited.

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- 5.5. Any complaint of nuisance noise must be validated by multiple complaints or concurrence of multiple neighbors.
- 5.6. Owners notified of a valid nuisance noise complaint must take action as soon as possible to resolve the complaint.
- 5.7. Fines and re-occurring fines can be applied retroactively to the date of the complaint anytime the person causing a validated complaint fails to cooperate with nuisance noise mitigation efforts.
- 5.8. A request for anonymity for filing a noise complaint will be respected except in cases of legal action.

6. RESPONSIBILITIES

- 6.1. It is the responsibility of owners/occupants to immediately cooperate in the mitigation of nuisance noise making activities.
- 6.2. It is the responsibility of the Standards Committee Chairperson (designee) to immediately notify and encourage persons suspected of being responsible for a nuisance noise complaint to resolve the problem.
- 6.3. It is the responsibility of the Standards Committee Chairperson (designee) to follow enforcement actions as required by Board policy and if necessary, initiate legal enforcement at the owner's expense.

7. PROCEDURES

- 7.1. When a nuisance noise complaint is received, the Standards Committee Chairperson (designee) shall attempt to immediately validate the complaint with a noise meter and, if appropriate, resolve the problem by phone or in person.
- 7.2. The Standards Committee Chairperson (designee) shall initiate enforcement actions consistent with Board policy when necessary.
- 7.3. All notes, photographs and records regarding the enforcement will be maintained in the appropriate property file.