

RIVER RIDGE ASSOCIATION, INC.  
(the "Association")

Regulation—Noise Constituting a Nuisance—adopted on March 1, 2022

WHEREAS Section 6.8 of the Covenants of the Association (the "Covenants") provides that nothing shall be done on a Lot that may be or become a nuisance; and

WHEREAS Section 9.3 of the Covenants empowers the Association to administer the Covenants and to promulgate rules and regulations for that purpose; and

WHEREAS Section 6.7 of the Covenants addresses the regulation of noise from the operation of certain classes of vehicles (the "Section 6.7 Vehicles") and

WHEREAS on April 6, 2007, the county commissioners of Morgan County adopted an ordinance to abate excessive residential noise where such noise is deemed a public nuisance (the "Ordinance"), and the Ordinance remains in effect; and

WHEREAS it is deemed desirable for the Association to adopt substantially the same substantive provisions of the Ordinance as Standards of the community under and pursuant to the Covenants, and to provide for Association enforcement thereof;

NOW, THEREFORE, BE IT RESOLVED that the following regulation is hereby adopted:

1. It shall be a River Ridge Community Standard that Excessive Noise during the hours of 11:00 pm to 6:00 am constitutes a prohibited nuisance. This shall not exclude other Excessive Noise regulations, either pursuant to Section 6.7 as provided in item 3 below, or during hours beyond 11:00 pm to 6 am as the Association may determine by further regulation.
2. "Excessive Noise" means the use at a Lot of any radios, television sets, musical instruments, barking dogs, phonographs, digital media players and similar devices, or power tools or equipment, or to permit at a Lot a party or other social event to produce noise, as to be plainly audible from the property line of another Lot or the street.
3. The operation of a Section 6.7 Vehicle in a manner that creates the same level of Excessive Noise at any time, day or night, shall be considered a prohibited nuisance and treated in the same manner as Excessive Noise.
4. In the event that Excessive Noise occurs at or emanating from any Lot or any occupant of or visitor to a Lot, the Owner of the Lot may be liable to pay to the Association a disruption fee not to exceed \$300 per occurrence during any single calendar day for the first violation and \$500 for any second or subsequent occurrence at the same Lot on any single calendar day within any 12-month period, as may be determined by the Association.
5. The Board of Directors, or a designee to whom the Board of Directors delegates the authority, determines the application and amount, if any, of a disruption fee in accordance with the Administrative Provisions of the Regulation titled "Community Quality Standards."
6. The emergency and other activities specified in Section 5 (b) of the Ordinance shall be exempt from the application of the foregoing.
7. The adoption of this regulation does not supersede or diminish the effect of any other community standard contained in or issued pursuant to the Covenants.