

Bonita Highlands Homeowners' Association
Noise Abatement and Control Procedures

1. Residents of the Bonita Highlands may notify the board in writing of any offensive noise complaint. Such complaints shall include the following information: the location where an alleged violation occurred, including the address of any resident lot, if applicable and known; the date(s) and time(s) of day during which the alleged violation(s) occurred; the names of the individuals responsible for the alleged violation, if known. The noise complaint must be signed by the complaining resident.
2. The Association will send a letter to the resident address(es) as stated in the complaint, as well as a copy to any non-resident homeowners if the alleged violation occurred at a lease/rental property. Such letter will request that the resident or HO cease the alleged nuisance violation, respond to the BHHA Board in writing that cessation has or will occur, or give good reason that such noise is in compliance with County ordinances or otherwise legally permitted.
3. Communications received from the resident and/or HO concerning the alleged violation will be summarized and a response forwarded to the complaining party.
4. If the complaint is resolved after the first action by the Board, to the satisfaction of the complaining party, the matter will be dropped.
5. If the alleged violation continues without correspondence, or the complainant is not satisfied with the initial response from the alleged violator, a second written correspondence from the complaining resident shall be required. Such correspondence shall state that the noise violation condition has not been corrected, referencing the previous complaint. This second correspondence shall again be signed and dated by the resident but will require an additional signature by a neighboring resident attesting to the continuance of the alleged noise pollution violation.
6. The BHHA Board of Directors shall forward notice of the second correspondence to the homeowner of record and a copy to the offending resident address, as applicable, along with a request to appear before the next Board meeting to discuss the matter. The complaining parties will also be invited to the same meeting.
7. If the matter can be resolved by meeting with the principals, the BHHA Board of Directors shall consider the matter closed and no further action will be taken. However, if the offending resident and/or non-resident homeowner fails to appear or communicate with the Board as to why he/she cannot appear, the Board will forward the complaint, with its endorsement, to the San Diego County Sheriff's office requesting that an investigation be initiated into the alleged noise pollution violation.
8. Copies of any follow-up correspondence between the Board and the Sheriff's office will be provided to the resident/homeowners.
9. A fine by the BHHA will not be levied until an alleged violation has been validated and appears irresolvable by either Board correspondence with the resident/homeowner or the County Sheriff's office. A monetary fine may be imposed by the BHHA if the offending resident/homeowner is deemed uncooperative toward finding a quick and timely resolution to a valid complaint. Fines may include an hourly billing, at a rate not to exceed \$45.00 per hour, by

the BHHA administrative staff for drafting applicable correspondence. Other legal fees may also be applied along with punitive penalties in accordance with standing Rules and Regulations set forth by the BHHA Board of Directors.