

Falcon Heights Condominium Association

Resolution # 2009-002

TITLE: Establishing Nighttime Neighbor Peace and Tranquility

WHEREAS Falcon Heights Condominium Association needs to define CC&R Article 11 11.1 (c) offensive or unlawful activities of "noise which may disturb other unit occupants, including the use of musical instruments, radios, televisions and amplifiers" and which becomes a source of annoyance to neighboring residents disturbing those neighboring residents' peace and tranquility during the night, and

WHEREAS it has been determined that neighbors need to be respectful of others' enjoyment of personal peace and tranquility from 10:00 o'clock p.m. to 6:00 o'clock a.m. by containing those noises made by a household that includes voice levels and music levels as defined above, and

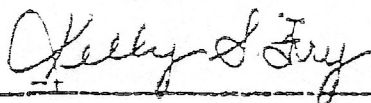
WHEREAS containment of noise would be defined as no neighbor being able to hear voice levels and music levels through the walls of units or outside on the lawn or sidewalk after the specified hours, and

WHEREAS by establishing a curfew on noises, the Falcon Heights Condominium Association Board of Directors has determined that this provides an equitable and fair solution to the issues of noise in the nighttime hours;

NOW THEREFORE, Falcon Heights Condominium Association Board of Directors declares that a curfew on noise will exist in Falcon Heights Sunday through Saturday, from 10:00 o'clock p.m. to 6:00 o'clock a.m. and that households that fail to adhere to the curfew and respect their neighbor's right to peace and tranquility shall be fined according to the fine schedule adopted by the Board in February 2009. Exception to this curfew would be if a household plans to have a gathering of guests. In this case, the household must notify all neighbors 48 hours in advance, stating when the entertainment shall end. Loud noisy gatherings are not allowed and can also be subject to fining, particularly if they windup in civil disputes and the police are called.

First reading September 10, 2009, 2nd reading September 14, 2009.

DONE AND DATED THIS DAY OF: October 8, 2009



Kelly S. Fry
FHCA Board of Directors Chairman