

**NOISE AND NUISANCES
Policy 730**

05/22/2025
Effective

Bill Grabowski
Association President

POLICY

In consideration of the reasons listed in the "Purpose" below, the Tides Board adopts the following rules:

- No resident, occupant or individual shall make or permit to be made any noise that will disturb or annoy the occupants of any unit or do or permit anything intentionally or otherwise to be done which interferes with the rights, comforts, convenience or quiet enjoyment of other homeowners, residents, renters, and guests.
- All residents, occupants and individuals shall reduce noise levels between the hours of 10:00 pm and 8:00 am so that neighbors are not disturbed.
- No individual shall engage in or permit others to engage in activity creating a nuisance. A nuisance, as defined by Webster's dictionary, is an offensive, annoying, unpleasant or obnoxious thing or practice. This act or practice must be severely annoying or offensive to a majority of impartial observers.
- No individual, occupant or resident may use or maintain his or her unit, or balcony or deck, or the common areas, or facilities for any purpose or in any manner which is contrary to any applicable law, rules or regulations of any governmental entity or for any purposes which would constitute a nuisance or be offensive to others.
- No violations of applicable law, rules or regulations of any governmental entity shall be permitted in any unit, balcony or deck, or in common areas. Any violation of law, rules or regulations of any governmental authority shall constitute a violation of these rules and violations and, in addition to any action taken by the appropriate Association entity, may be reported to the local police department.
- Parents shall be deemed responsible for violations of the rules committed by their children

PURPOSE OF THIS POLICY

WHEREAS:

- The Association's governing documents include a Master Deed and Declaration of Covenants, Conditions, Easements and Restrictions.
- These documents delineate responsibilities and obligations of the Associations and the Unit Owners.
- Within the Association, the Board of Directors has the ultimate authority on issues of interpretation of these Rules and Regulations.
- These governing documents also allow the Board to establish rules and regulations, policies and procedures as well as to update or modify these rules and regulations from time to time.
- The association governing documents delineate that all homeowners, their guests, residents, occupants and individuals have the obligation to follow these rules and violations may lead to suspension of rights, fines and other financial penalties.

SCOPE OF THIS POLICY

This policy applies to all guests, renters, contractors, employees and owners to The Tides in all exterior and interior common areas.

RESPONSIBILITIES AND AUTHORITIES

The Board of Trustees maintains the responsibility and authority to make necessary changes to this procedure. The office manager and other managing agents have the responsibility and authority to execute the procedures listed herein.

PROCEDURES

NOW THEREFORE, in consideration of the above rules, the Tides Board adopts the disciplinary actions/fines:

- 1) A Notice of Violation shall be issued by the Board or Management Staff upon receipt of a complaint after a determination by the Association that the complaint appears to be valid. The Notice may be issued verbally or in writing. A rental guest that receives such a Notice of violation but who does not agree that a violation has taken place must notify the management office within twenty-four hours. A lack of response shall be deemed as an admission of the violation. This letter shall make clear the penalties for further violations of the rules.
- 2) With respect to each violation, the resident, occupant or individual will be subject to the next most serious offense following a determination of any violation.
- 3) First offense: Up to and including a \$150 fine; Second offense: Up to and including a \$300 fine; Third Offense: Up to and including a \$500 fine. Amounts for owner violations, see Tides Condominium Association By-Laws Article VIII 2.
- 4) The Board reserves the right to pursue any and all legal remedies available under the law against this violator until said fine is fully paid, as well as for the payment of attorney fees for collection, if necessary.
- 5) Each fine shall be paid within 2 days of notification of the penalty assessment. If the penalty is not paid within the specified timeframe, each day after the payment deadline that the fine remains unpaid shall constitute a separate rules violation and the violator shall be fined the amount of the initial fine for each and every day that the fine remains unpaid.
- 6) All fines assessed by the Association shall be collected prior to resident, occupant or individual's departure. In the event the resident, occupant or individual does not pay the fine, the Association reserves the right to impose the fine upon the owner of the unit rented.
- 7) The Association reserves the right to notify the unit owner of record of the violation(s) and assessed penalties if applicable. A copy of policy 133 Alternative Dispute Resolution should be sent as well.

This policy is to be included in all rental/lease agreements and must be signed by the lessee.

OWNERS RIGHTS UNDER THIS POLICY

The affected owner has the right:

- To receive a copy of this policy
- To be promptly notified (email, telephone, in writing) of the fine
- To petition the Board of Directors when the owner deems the fine not to be valid
- To expect that the situation will be handled impartially and confidentially

RELATED POLICIES

- 132.10 Official Communication
- 133 Alternate Dispute Resolution
- 710 General Rules and Regulations
- 720 Non-Smoking

RELATED DOCUMENTS

- Tides Condominium Association Master Deed
- Tides Condominium Association By-Laws