

Cedarfield II Homeowners' Association, Inc.

Resolution regarding Nuisances

Whereas, the Board of Directors for the Cedarfield II Homeowners' Association, Inc. ("Association") is responsible for enforcement of the Declaration of Covenants, Conditions and Restrictions recorded in Book 5962 Page 905 of the Mecklenburg County Register of Deeds Office, including all supplements and amendments thereto and the Declaration of Restrictions recorded in Book 5962 Page 919 of the Mecklenburg County Register of Deeds Office, including all supplements and amendments thereto (collectively herein the "Declaration"); and

Whereas, Article VII Section 2 of the Declaration prohibits noxious or offensive activity on any lot or in any dwelling in the community which may be or may become an annoyance or nuisance to the neighborhood; and

Whereas, the Board has determined that owners need clarity regarding what they consider to be noxious or offensive activity.

Now, Therefore, the Association hereby adopts the following resolution to clarify what they will consider to be noxious or offensive activity:

1. The Board encourages all owners to work together and be considerate of those around them.
2. The Board will investigate complaints received for all violations of the Declaration. If an owner is found to be in violation, they will be subject to a fixed or daily fine.
3. The Board, in its sole discretion, shall determine whether a violation is considered noxious or offensive.
4. The Board considers the following to be noxious or offensive behavior:
 - A, As per the Town of Huntersville Municipal Code, Any animal which 1) is repeatedly found at large; 2) damages property of anyone other than it's owner; 3) is vicious; 4) causes fouling of the air by odors; 5) excessively makes disturbing noises; 6) is diseased and dangerous to the health of humans or other animals. (Municipal Code: Article IX General Regulations Chapter 94: Animal Ordinance 94.03 passed 5-21-01)
 - b. Any speaker, sound amplification system, music, movie or any other noise that is louder than 70 decibels, or that can be heard outside the boundaries of any lot, or *"that results in the sound being plainly audible at a distance of 100 feet from the point of broadcast"* (per the municipal code of the Town of Huntersville, Article IX General Regulations, Chapter 93 section III noise, 93.41 paragraph 1. Sub section 5)
 - c. Any other condition defined as a prohibited nuisance by the municipal code of the Town of Huntersville (Town of Huntersville Municipal Code Article IX General Regulations, Chapter 93 Nuisances section III Noise, (passed 8-5-02).

The Board members, by affixing their signatures below, hereby confirm their consent and approval of this resolution.

This resolution will be effective immediately upon distribution to the members.

Printed Name	Printed Name
Signature	Signature
Date	Date

Printed Name	Printed Name
Signature	Signature
Date	Date

Printed Name
Signature
Date