

BROOKSTONE

Condominium Association

BROOKSTONE RESOLUTION ESTABLISHING STANDARDS MINIMIZE NOISE TRANSMITTED FROM UNITS

- A. The Brookstone Condominium Association has received complaints from unit owners regarding noise transmitted to a unit from another unit. The types of complaints include complaints that upstairs unit owners have removed carpet installed by the developer and replaced it with hardwood flooring which is transmitting noise into the unit below and complaints that unreasonable noise is being transmitted from audio equipment, televisions, and the like from adjoining units.
- B. Section 16.02 (d) and (g) of the Amended and Restated Declaration of Condominium of the Brookstone Condominium Association provides that no unit shall be used so as to create a nuisance or unreasonably interfere with the peaceful possession of another unit and that no practice shall be carried on which likewise unreasonably interferes with the quiet enjoyment of another unit or which creates a nuisance.
- C. Section 7.15 (t) of the By-Laws of the Brookstone Condominium Association grants the Executive Board the power to make and enforce compliance with reasonable rules and regulations, including regulations relative to the use and occupancy of the units and to provide for penalties for violation of such rules and regulations.
- D. The Executive Board of the Brookstone Condominium Association finds that wood floors in second floor units which are not covered by carpet and/or rugs having a pad at least ½" in thickness and covering an area comprising at least 80% of the floor area of each room and/or hallway permits noise to be transmitted from such unit to adjoining units as to unreasonably interfere with the quiet enjoyment of those units.
- E. The Executive Board further finds that generating any noise in a unit from any source, including audio and/or video equipment, musical instruments and the like which can be clearly heard in an adjoining unit unreasonably interferes with the right of quiet enjoyment of the adjoining unit and constitutes a nuisance.

NOW THEREFORE, the Executive Board of the Brookstone Condominium Association hereby adopts the following rules and regulations concerning noise.

1. No unit owner, or occupant, of any unit shall carry on any activity within any unit or permit any activity to be carried on within any unit which


generates noise of sufficient volume as to be capable of being clearly heard in an adjoining unit. Between the hours of 10:00pm and 7:00am, no unit owner or occupant shall engage in any activity, or permit another to engage in any activity, generating noise which can be heard in any adjoining unit at such a level as to be annoying or unreasonably interfere with the adjoining unit owner's quiet enjoyment of his, her, or their unit.

2. No less than 80% of the floor area of each room, hallway and/or stairway of all second floor units shall be covered by carpeting and/or rugs having a pad not less than ½" in thickness.
3. Penalties and fines for a violation of this rule and regulation shall be assessed per the Brookstone Compliance Procedure.

RESOLVED AND ENACTED by the Executive Board of the Brookstone Condominium Association this 4th day of March, 1999.

**Brookstone Condominium
Association**

Attest:


President