

XIII. Noise Rules

The HVL POA Safety and Elections Committee and the HVL POA Board of Directors have approved the following Noise Rules within Hidden Valley Lake. For the comfort and convenience of all, we sincerely request the cooperation of all HVL POA members, their immediate family members and their guests in adhering to these rules. These rules shall remain in force until changed or amended upon recommendation by the HVL POA Safety and Elections Committee and approved by the HVL Board of Directors.

All Federal, State of Indiana and Dearborn County noise and fireworks laws apply within Hidden Valley Lake unless modified by HVL POA Noise Rules.

A. Definitions of Terms

For the following HVL POA Noise Rules, unless the context otherwise indicates when used in conjunction with the term, the definitions of the following terms apply:

- ◆ **Fireworks** – Any composition or device designed for the purpose of producing a visible or audio effect by combustion or detonation. The term does not include model rockets, toy cap pistols, emergency signal flares, illuminating torches, snakes or glow worms, ground spinners, smoke devices, or wire sparklers.
- ◆ **Request to desist** – The actual notice of the disturbance by a law enforcement officer to the offender or to an employee or representative of the offender.
- ◆ **Unreasonable Noise/Excessive Sound** - In determining whether a noise is of such a character as to unreasonably disturb the peace and quiet of the community, the following factors shall be considered:
 1. Complaints of neighbors or other persons in the proximity.
 2. The location and time of day when the noise is produced.
 3. The type, intensity and duration of the noise produced.

B. Noise Rules

- 1) No person shall operate, cause to be operated or permit to be operated any radio, television, siren, car alarm, whistle, bell, or other sound amplification device in such a manner and of such intensity and duration as to create unreasonable noise or loud sound and which causes inconvenience and annoyance to persons of ordinary sensibilities. This rule applies to private property as well as community property within HVL including all lakes.
- 2) No person being the owner or person in possession of a motor vehicle with a device described above shall cause or permit any noise emanating from the motor vehicle which is plainly audible at a distance of fifty feet from the motor vehicle. The lawful use of a motor vehicle horn shall not be a violation of this section.
- 3) No person shall use, cause to be used or permit to be used any fireworks in such a manner and of such intensity and duration as to create unreasonable noise or loud sound and which causes inconvenience and annoyance to persons of ordinary sensibilities. This rule applies to private property as well as community property within HVL.
- 4) It is a violation of the HVL POA Noise Rules if notice to cease and desist producing a noise has been given to any person and that person continues to make, cause or permit a noise of similar intensity and duration, provided, however, that no warning shall be required if a person of ordinary sensibilities knew or should have known that the noise created would cause unwarranted annoyance to persons of ordinary sensibilities.
- 5) The following shall be exempt from noise level regulations:
 - a. Noises of safety signals, warning devices and emergency pressure relief valves.
 - b. Noise of emergency vehicles when responding to or acting in time of emergency.
 - c. Any other noise resulting from activities from vehicles of a temporary duration, such as, parades or festivals.
 - d. Sounds produced in connection with normal conduction of legally established non-transient business or farming operation when such sounds are customarily indicated and within normal range appropriate for such use.
- 6) The HVL POA Board of Directors from time to time may allow, by permit, parties or events on community property within HVL, which may create noise or loud sounds and may place restrictions on these permits as they see fit.

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