

VILLAS at MONTGOMERY PLACE

Objectionable Noise Policy

Pursuant to Article X, Section 3 of the The Declaration of Covenants, Conditions and Restrictions (CCRs) of the Villas at Montgomery Place [the “Association”] hereby establishes a formal policy for the enforcement of the Declaration and any Rules and Regulations.

The Association and its designated agents are responsible for conducting periodic reviews of the Association neighborhood to ensure all properties are in compliance with the Declaration and the Rules and Regulations. Owners may also report any violation to the Association’s Board.

Pursuant to Article XIII, Section 4 of The Declaration of Covenants, Conditions and Restrictions (CCRs) of the Villas at Montgomery Place [the “Association”]; No animals, reptiles, rodents, livestock, birds, fish or poultry of any kind shall be raised, bred, or kept on any portion of the Properties, except that dogs, cats, or other usual and common household pets not to exceed a total of two (2) may be permitted in a Unit. However, those pets which are permitted to roam free, or, in the sole discretion of the Association, which endanger the health, **make objectionable noise**, or constitute a nuisance or inconvenience to the Owners of other Units or the owner of any portion of the Properties shall be removed upon request of the Board; if the owner fails to honor such request, the pet may be removed by the Board and turned over to the appropriate agency for keeping or disposal (1). No pets shall be kept, bred, or maintained for any commercial purpose. Dogs which are household pets shall at all times whenever they are outside a Unit be confined on a leash and held under the physical control of a responsible person. Electronic fences may be installed for the control of pets upon approval by the DRC and/or Board of Directors.

To constitute an “objectionable noise”, the noise must constitute an unreasonable interference with the use and enjoyment of property.

An example of an objectionable noise would be a “loud and frequent barking, whining, or howling dog that disturbs the peace and quiet of the neighborhood”. *Reference Tennessee Code Title 10, Chapter 1, Section 10-105.*

Violations and fines shall be assessed pursuant to the Covenant Violation and Fine Assessment Policy.

Approved by the Villas at Montgomery Place Homeowner’s Association Board of Directors.

(1) Any pets that repeatedly roam free, endanger health, make objectionable noise, or constitute a nuisance or inconvenience to the Owners of other Units shall be removed upon request of the Board. The determination of whether or not a pet meets the removal criteria is at the sole discretion of the Association. If the pet's owner fails to honor a removal request, the pet may be removed by the Board and turned over to the appropriate agency for keeping or disposal.