

Whispering Pines Property Owners Association

Noise Ordinance

A) Purpose

The purpose of this noise ordinance is to protect the quality of life, health, safety and general welfare of the residents and property owners of Whispering Pines. This will be accomplished through education and awareness of property owners.

B) Definitions

The ordinance defines a noise disturbance as any sound that:

- Disturbs a reasonable person of normal sensitivities.
- Is plainly audible (content of that noise is unambiguously transferred to the listener) a minimum of 200 feet from the property line of the source of the noise.

C) Examples

Examples of noise in Whispering Pines:

- Motor vehicles including cars, trucks, ATV's, snowmobiles and motorcycles that do not have mufflers or have been modified to make more noise.
- Construction noise from heavy equipment and power tools.
- Barking Dogs.
- The operation or playing of any radio, television, phonograph, audio equipment, drum or musical instrument. Also, the creation or activity of music at parties.
- The outdoor use of power tools.
- Domestic power tools.
- The sounding of any horn or signaling device on any truck, automobile, motorcycle, emergency vehicle or other vehicle within Whispering Pines except as a danger warning signal.
- Loud noise from an individual or a group yelling.
- The continuous sounding of any bell, chime, horn, siren, whistle, or similar device.

D) Prohibited

Violations and prohibited noises in Whispering Pines:

- Stereos, radios or bands playing so loud that it is plainly audible 200 feet from the property line.
- Dogs barking continuously for 15 to 20 minutes.

- The operation of construction equipment and tools used to build houses is prohibited from 9:00 p.m. to 7:00 a.m.
- The outdoor use of power tools and lawn mowers is prohibited from 9:00 p.m. to 7:00 a.m.
- The operation of any automobile, motorcycle, or other vehicle so out of repair or so loaded or constructed as to cause loud and unnecessary grating, grinding, rattling, or other unreasonable noise including the noise resulting from exhaust, which is clearly audible from nearby properties and unreasonably disturbing to the quiet, comfort, or repose of other persons.

E) Exemptions

General exemptions to the above violations and prohibited noise:

- Devices or activity creating sound made to alert persons to the existence of an emergency, danger or attempted crime.
- Emergency work necessary to restore property to a safe condition following a fire, accident or natural disaster or to restore public utilities, or to protect persons or property from an imminent danger.
- The operation of any vehicle or equipment designed and used for the purpose of snow and/or ice removal.

Whispering Pines Property Owners Association

Lighting Ordinance

A) Purpose

Lighting, like barking dogs, loud noises or music and other annoyances can often unintentionally intrude on other's rights to enjoy the beauty, peace and tranquility of their property in Whispering Pines. The purpose of this ordinance is to balance the need for safety and security with the desire to eliminate light trespass and glare, as well as preserving the economic value and enjoyment of the area.

B) Definitions

Light Pollution: Artificial lights, which cause a detrimental effect on the environment, enjoyment of the night sky, or cause, an undesirable glare on adjacent properties.

Direct Light: Light emitted directly from the lamp, reflector or reflector diffuser, or through a refractor or diffuser lens, of a fixture.

Glare: Direct light emitted by a fixture that causes reduced vision or momentary blindness.

Security Lighting: Lighting designed and used to discourage crime and undesirable activity.

Light Trespass: Light emitted by a fixture that shines beyond the boundaries of the property on which the fixture is located.

Shielded Fixture: A fixture that emits no light rays above the horizontal plane running through the lowest point of the fixture where light is emitted.

Spotlight or Floodlight: a lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

C) Requirements

Outdoor lighting on a pole or wall of a building shall be no higher than fifteen (15) feet from the ground. The light fixture must be shielded and directed towards the ground.

Any outdoor fixture must be mounted such that the direct glare from the fixture is not visible six (6) feet above ground level and ten (10) feet inside the property line.

Security lighting that is activated by motion sensors should remain lighted no longer than fifteen (15) minutes.

The outdoor operation of searchlights, lasers or other high-intensity beams for any purpose or intent is prohibited.

Porch and entrance lights on houses with light bulbs of 100 watts or less do not need shielding.

All outdoor light fixtures maintained shall be turned off between 11:00 p.m. local time and sunrise.

All architectural lighting shall be of 10 watts or less (incandescent) or 70 watts or less (other types), and be extinguished no later than 11:00 p.m. local time.

D) Exemptions

Low voltage lighting used for holiday decorations shall be exempt.

All temporary lighting needed for emergency services, as well as all vehicular luminaries, shall be exempt.

WHISPERING PINES PROPERTY OWNERS ASSOCIATION

Ordinance for Overnight Camping

This ordinance is provided for all property owners to be able to enjoy the investment that they have made in Whispering Pines. The following is to be adhered to:

1. Overnight camping is to be allowed per Section 7-F of the Restrictive Covenants.
2. If you need to clear a space for camping, you must adhere to the requirements of Section 7-O of the Restrictive Covenants. Improvements must have the written approval of the Architectural Committee prior to the work being performed.
3. If you need to "level" a place to camp, you must adhere to Section 7-P of the Restrictive Covenants. Improvements must have the written approval of the Architectural Committee prior to the work being performed.
4. If you need a permanent pad to park on, Improvements must have the written approval of the Architectural Committee prior to the work being performed.
5. If you need a septic system for camping, you must comply with Section 7-E of the Restrictive Covenants. Improvements must have the written approval of the Architectural Committee prior to the work being performed.
6. If you need a water connection you must get written approval from the Whispering Pines Water Company and pay all appropriate fees prior to the work being performed.
7. No trailer or Recreational Vehicle (RV) may be left unattended for a period of more than eight (8) days in a 30 day period between April 1 and October 31. **After October 31, trailers and RVs must be removed from non-residential properties.**

Temporary Residence While Building

Ordinance Approved March 7, 2020

Temporary Residence – while a home is being constructed, temporary residence on the property being built upon is permitted AFTER plans approval. Temporary residence must be approved by the WPPOA Board and generally consists of RV or Trailer living. Temporary residence approval ends upon Occupancy Permit being issued or expiration of permitted construction time period.

ORDINANCE: SHORT TERM RENTALS

No rental for a period of less than 59 days of any home, cabin or parking location within the authority of the Whispering Pines Property Association is allowed. This is a Residential Neighborhood.

Any owner currently providing rentals of a shorter duration than 59 days, that can prove they have done it at least 5 times in the past year, may continue this type of rental going forward only if the following conditions are met prior to August 1, 2019:

(1) A certificate of insurance must be submitted to the WPPOA Board. This certificate must clearly state that there is liability coverage sufficient to cover renters for any acts or omissions related to the rental;

(2) A certificate from the County Fire Marshal. This certificate must clearly state that the premises meet minimum requirements for hospitality services;

(3) A \$600 per year "Short-Term-Rental Impact Fee" for additional traffic and usage of common areas and services. This fee will be due Annually and paid in advance by January 7th of each year.

(4) Any Property Owner Renting a Property, for any length of time, will need to provide to the POA Board, via email and at least 24 hours in advance, the contact information for the responsible person/renter and the arrival and departure dates for each rental period.

(5) Violation of this ordinance will result in a fine of \$1000 per stay payable within 30 days of notification that owner is in violation. Failure to pay fine(s) will result in property be liened.