

## **BACHELOR GULCH VILLAGE ASSOCIATION NOISE REGULATION**

WHEREAS Bachelor Gulch Village Association ("Bachelor Gulch") is responsible for enforcing and controlling unreasonable noise and noxious or offensive activity within Bachelor Gulch Village in accordance with Article VII of the Declaration – Restrictions Applicable to Property;

WHEREAS improper or uncontrolled use of "Jake Brakes" can cause unreasonable noise and constitute a noxious or offensive activity within Bachelor Gulch;

NOW THEREFORE, it is resolved that the following Noise Regulation is hereby adopted by the Board of Directors of the Bachelor Gulch:

1. Title. This regulation shall be known as the "Noise Regulation."
2. Purpose and Applicability. A primary function of the Bachelor Gulch Village Association is to enhance the overall quality of the experience accorded the members, guests and visitors to the Bachelor Gulch Subdivision, Eagle County, Colorado. To this end, Bachelor Gulch has promulgated the following Rule and Regulation which shall apply to all Property within Bachelor Gulch.

The Board of Directors of Bachelor Gulch has the power to amend Rules and Regulations from time to time, without notice, to ensure adequate enforcement of the governing documents and to enable Bachelor Gulch to address issues and concerns which may arise as the community develops and matures.

3. Noise Prohibited.
  - 3.1 The making, creating or issuance of an excessive or unusually loud noise by commercial motor vehicles utilizing the engine breaking system commonly known as "Jake Brakes."
  - 3.2 "Jake Brakes" means any device mounted on or adjacent to the engine of a commercial motor vehicle which, when employed, reduces engine speed and causes the vehicle to slow without us of the vehicle's braking system.
  - 3.3 An excessive or unusually loud noise is defined as noise of any duration which exceeds 85 decibels measured at a distance of 50 feet from the commercial motor vehicle.
  - 3.4 All commercial motor vehicles within Bachelor Gulch shall cooperate with Bachelor Gulch Public Safety to demonstrate that the vehicle meets the noise standards set forth herein.

4. Violation - Penalty.

First Offense: Warning and notification that further violations will result in denial of

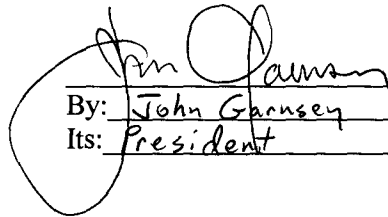
access to Bachelor Gulch.

Second Offense: Upon a second violation, the commercial motor vehicle shall be subject to re-testing and shall demonstrate that the vehicle complies with this Noise Regulation. Should the vehicle fail the second noise test, the vehicle will be denied entry into Bachelor Gulch until the vehicle establishes compliance with this Noise Regulation.

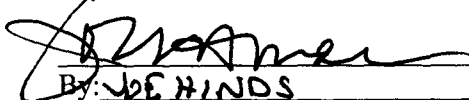
Third Offense: Should the commercial motor vehicle fail a third test, each subsequent test shall be conducted at a charge of \$250, and the commercial motor vehicle shall be denied entry into Bachelor Gulch until such time as it establishes compliance with this Noise Regulation.

Resolution Adopted: June 25, 2007

Bachelor Gulch Village Association

  
By: John Garnsey  
Its: President

Attest:

  
By: JOE HINDS  
Its: Secretary