

Nuisance, at all hours, is defined as a non-trespassory invasion of another's interest in the private use and enjoyment of land. A private nuisance involves an appreciable interference with a person's reasonable use and enjoyment of their personal property but does not include an actual, physical trespass". If a "reasonable" or "normal" person in the same community would view the activity as offensive, then it could be significant enough to be considered a nuisance.

1<sup>st</sup> documented violation would result in written warning to the property owner

2<sup>nd</sup> documented violation would result in a \$250 fine assessed by the WMPOA

3<sup>rd</sup> documented violation would result in a \$500 fine assessed by the WMPOA

Subsequent documented violations would result in a \$500 fine assessed by the WMPOA

If a property owner, that has been previously in violation, operates with no violations for one year after the last documented violation, the fine schedule would reset. The following would then apply.

1<sup>st</sup> documented violation would result in written warning to the property owner

2<sup>nd</sup> documented violation would result in a \$500 fine assessed by the WMPOA

Subsequent documented violations would result in a \$500 fine assessed by the WMPOA

Thorough documentation is needed of the offense before any warning or fine will be assessed. The WMPOA Board is solely responsible for determining if a complaint is valid and warrants a warning or fine.

**Documentation needed for enforcement:**

Your name and address

Address where the violation is occurring

Either Sheriff Deputy report or video recording of the event

Must be during the hours that would be in violation of the noise restrictions

**Hours of noise restriction:**

Sunday -Thursday - 9:00 p.m. through 7:30 a.m.

Friday and Saturday - 11:00 p.m. through 7:30 a.m.

Passed 11/21/2020