

BELLEVUE NEIGHBORHOOD MEDIATION PROGRAM

425-452-4091

Neighborhood Noise

By Andrew Kidde

With thanks to Kathleen Nichols who wrote an earlier edition of this article.

Saturday morning, around dawn. After a long, hard week, you're enjoying one of the great pleasures in life... sleeping in. Suddenly, a neighbor fires up his chain saw. Across the back fence someone starts banging nails. Your cherished slumbers are rudely terminated. For a while you vainly cover your head with the pillow, and then, discouraged and cranky, you get up to face the day.

Chronic noise problems often cause irritation and frustration. They can also be hard to resolve. Laws and ordinances protect us from some noise disturbances. But many people are reluctant to call the authorities on their neighbors. And some bothersome noises may be within legal limits — a fact that probably won't make the noise less disturbing.

In this article, we'll list the agencies charged with enforcing noise law in Bellevue and review the local laws they enforce. We'll also discuss alternatives to calling the authorities that may be more appropriate and effective in addressing neighborhood noise problems.

If you want to call the authorities, it's important to know who to call. Here in Bellevue, it depends on the type of noise involved. If the noise is from a stationary source, such as a generator, heat pump, or compressor, you should call the Code Compliance Department (425-452-4570). If the noise is a

barking dog, call King County Animal Control (206-296-7387). For all other noise problems, you should call the Bellevue Police Department (425-452-6917).

If it is a stationary source noise problem, Code Compliance will come to your property with a noise meter and measure the decibels at your property line. If the noise level exceeds the legal limit under the City's Noise Control Ordinance, then the Code Compliance Officer can require the owner of the machine to mitigate the noise by moving it or building a sound baffling fence around it. According to Ray Johal of Bellevue Code Compliance, before taking a hard-line enforcement approach, the officers will often try to get neighbors to work together and negotiate how to solve these noise problems.

If the noise disturbance is from a barking dog, King County Animal Control may be able to intervene. Animal Control requires that pets be licensed and enforces regulations regarding the number of pets allowed on individual properties. Animal Control also has an intervention process for dealing with barking dogs.

Almost all other noise disturbances are handled by the Police Department. The most common type of problem they handle is complaints about loud parties. According to Officer Cherie Baker, they do not typically use sound meters, instead they use the 75 feet rule: if a noise can be clearly heard from 75 feet away, then it is a noise disturbance,



and the Police will knock at the door. They have the power to cite violators with fines in some cases.

Most of the noise standards in Bellevue's Noise Control Ordinance have different standards for night time. In most residential areas the permissible level of noise is significantly lower between the hours of 10:00 PM and 7:00 AM — referred to as “quiet time.”

Construction noise between the hours of 7:00 AM and 6:00 PM is allowed to exceed the standard noise levels under a special exception in the statute. However, if the construction is for “temporary repair, addition or maintenance projects on existing single-family homes,” then the noise can continue until 8:00 PM.

The City of Bellevue Noise Control Ordinance, Chapter 9.18, has numerous other exceptions and special cases. The entire ordinance, about ten pages, can be viewed on line at www.bellevuewa.gov

Going to the authorities over a noise problem can be tricky. Your neighbors may see your action as hostile. Neighborly relations can deteriorate. Even worse, your neighbors might retaliate, for example by calling Code Compliance over that shed you constructed near the property line. Neighborhood feuds can rapidly snowball in this manner.

Another possible problem with going to the authorities is that the remedy they provide may not help you. For example, if you are a night owl who gets up around 10 AM, the standard “quiet time” provisions may not be the quiet time you need. Or, you may succeed in reducing the number of pets your

neighbor can keep, only to learn that the neighbor is getting rid of their quiet cat, while keeping their three barking dogs.

An alternative to going to the authorities is to negotiate directly with your neighbor. We know this may not be easy – and we don't recommend trying this right after you've been woken up on Saturday morning. Nor should you wait through months and months of mounting frustration. However, if you prepare yourself and carefully pick the time to speak with your neighbor there is a good possibility that you can negotiate a solution that addresses your specific situation. Sometimes merely raising awareness can be helpful.

For suggestions on ways to open up productive discussions call for our publication “How to Resolve Conflict.” Also see “Dealing with Noise Issues” and “Finding Solutions to Noise Problems” on the next page. You can call us at 425-452-4091 for more help.

If negotiating directly with your neighbor doesn't work, or is too daunting a prospect, consider using our free dispute resolution services. We provide highly trained, neutral conciliators and mediators who can help facilitate the discussions between you and your neighbor. Mediation can be particularly helpful when the issues are emotional or complex. Through this process the mediators will help you and your neighbor articulate your concerns in a safe, neutral environment, and then find a solution that works for everyone.



Dealing with Noise Issues

There are two common reactions to noise coming from a neighbor. The first is a sense of helplessness and resignation. You hate the noise, but you do nothing and grit your teeth. The second is anger. You lose your temper, yell at the neighbor and/or call the cops. But, there are better ways to handle the situation.

Approaching the Neighbor: Discussing the problem with a neighbor may not be easy. But it is always the first step, and, if done with respect and sensitivity, it will hopefully be the last. Often a neighbor may be unaware of the extent of the problem or that the noise is bothering someone else. An effective approach is to assume that the neighbor doesn't know and would like to be told. Before you blow up or call the police, give communication a try. For suggestions on ways to open a productive discussion, see "How to Resolve Conflict."

Mediation: If talking with the neighbor doesn't get results, consider phoning our office to learn more about mediation. In mediation you could not only try to settle the current problem but also work out an agreement that would address how to handle problems in the future.

Finding Solutions

Many noise issues have been successfully addressed through our mediation program. Some solutions focus on reducing the noise at the source; others concentrate on stopping the sound at the "receiving property."

Stationary noise: Some complaints result from the constant drone of a neighboring piece of equipment, such as a heat/air conditioning, hot tub or swimming pool pump. Repairs to the equipment may mitigate the problem. If moving the unit is not feasible, effective soundproofing can often be achieved by building an enclosure around it. Care should be taken to properly vent the enclosure to avoid damage to the unit.

Children Playing: Basketball hoops, skateboard ramps and noisy games are a source of concern for neighbors. These, too, can sometimes be moved to another, less obtrusive part of the property. Limiting the times of play can be another option. The neighbors may decide to build a sound barrier. Care should be taken in the design; when barriers are built incorrectly, they can actually make the problem worse. It is usually recommended that the barrier be angled to some degree. Getting input from an acoustical engineer is often helpful.

Multifamily Residences: Noise issues between apartment units and condos are very common. Many buildings are constructed with wood floor joists, and wood is an excellent conductor of sound. In this case, just walking across the floor can cause irritating noise to the downstairs neighbor. Area rugs in major traffic areas can help lessen the sound transmission.

Playing music in condos and apartments makes very clear the adage that one person's music is another person's noise. This is especially true if all one can hear is the steady bass beat. If the noise is coming from the upstairs neighbor, lifting speakers off the floor can help.

Loud alarm clocks, comings and goings due to unusual work schedules, early-morning or late-night car starting, and late-night clothes washing are all examples of noise-producing activities that can cause problems for neighbors in multi-family units. Often, simple awareness of the impact and discussion of schedule differences can start neighbors thinking about ways to live together in peace – and quiet.

Animal Noises: Dog barking is the most common complaint. For a full discussion of possible solutions, see "Up All Night with Man's Best Friend," also available at the Bellevue Neighborhood Mediation Program office (425-452-4091).

This article contains information covered in the book, Neighborhood Law: Fences, Trees, Boundaries and Noise, by Attorney Cora Jordan. Nola Press. Berkeley CA. 1997. Laws change frequently and vary from state to state. This information should not be construed as legal advice).

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