



# CITY OF SULTAN

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***The residents living in the City of Sultan need to expect to live with some level of noise. City of Sultan Municipal Code Section 8.10, addresses public disturbance noise. Even rural areas can be impacted by ambient noises; traffic, neighborhood children, lawn mowers, construction, barking dogs or other animal noises. As a resident of any area or neighborhood it is presumed that one can anticipate noise, within reason and without complaint. However, with excessive or continuous noises there is something you can do.***

***The City of Sultan offers this advice for excessive noise:***

## **1. Communicate with the neighbor.**

First, speak with the neighbor about the problem. Do not wait until you are totally frustrated. Often, neighborly discussions can be very helpful. Let the person know that you are disturbed by the noise. Try to work out a mutually agreeable and reasonable solution in a neighborly manner. Offer suggestions or alternatives that will help reduce the disturbance during time of the day or night that you are bothered. Allow a reasonable time for a remedy by the person. Also, make note of your contacts with the person and responses you received, as we will want that documented in the packet you receive from the City.

## **2. Submit a formal complaint.**

If you have tried to solve the problem through communications with your neighbor, and you continue to be disturbed by excessive noise, and you have identified other neighbors that are also disturbed, the City of Sultan is prepared to assist you.

The first step is to file a complaint form. Please note that this complaint form does not replace the “petition” form we will also ask you to complete. Both forms will assist us by providing the information we need.

There are different ways to submit a complaint:

- In person at City Hall
- Online at [www.ci.sultan.wa.us](http://www.ci.sultan.wa.us)
- By mail to:

City of Sultan  
Code Enforcement Services  
PO Box 1199  
Sultan, WA 98294

## **3. What happens after a complaint is filed.**

After a complaint is filed, the following actions will occur:

We will mail you (the complainant) a form called a “petition”. This form asks you to fill in the following

- A list or log of days and times the noises are occurring
- The sign-on of two other neighbors who are also bothered by the noise
- A record of contacts with the person and the responses

After you complete the complaint, we will mail the person a letter informing them that a complaint has been submitted, and stating that if they are still making disturbing noises, they must take action to end the problem. The letter also states that a petition form has been mailed to the complaining party to document any continuing violation.



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## **4. Importance of Documentation.**

City of Sultan Municipal Code 8.10 addresses public disturbance noise. This ordinance language, regarding nuisance noise, is very general. Therefore, in order to show a violation truly exists, proof is required to demonstrate that the noise is occurring to an “unreasonable” degree, and to provide a valid basis for enforcement action.

For example, when multiple neighbors sign a petition form, it provides important evidence that the noise is unreasonable and not simply troubling one individual. Also, if documentation shows that you have logged extended periods of persistent noise, especially during night or early morning hours, that documentation can provide further evidence that a violation may be occurring.

Be thorough and honest in your documentation

## **5. Follow-up.**

Sometimes the neighbor will take some action to fix the problem once they have been notified by Code Enforcement Services and following conversations with neighbors who are bothered. Again, allow a reasonable time for the neighbor to implement a remedy. If the Code Enforcement Services letter and your neighborly communications do not address the problem, will make contact with the neighbor to address the issue, provide education, and issue a warning if deemed necessary.

## **6. What if the Noise Continues?**

If the steps described above do not help to resolve the noise problem, additional escalating enforcement strategies can be pursued.

In order to escalate enforcement action, updated documentation of a continuing problem is necessary. Do not stop documenting the problem. Submit additional logs of the days and times of the noises. Ask the other neighbors to also submit statements of complaint.

If evidence of continuing noise disturbances are submitted, an officer will be sent out to speak with the neighbor again. Depending on the circumstances, a second warning may be issued. OR, a civil Notice of Nuisance Abatement may be initiated, issuing a civil penalty (fine) for the continuing violation.

During this time, Code Enforcement Services will also be continuing attempts to educate the neighbor about steps they can take to reduce the noise.

Do not be discouraged by the time it may take to address the noise problem, and continue documenting the noises and submitting the information.

## **7. Releasing the Identity of complainants.**

In most cases, information about a complaint, including the identities of the complainants, is considered a public record and is subject to release, upon request, under the provisions of the Washington State Public Disclosure Act, Chapter 42.17 RCW.

RCW 42.17.310(1)(e) says that “the following investigative, law enforcement and crime victim information is exempt from public inspection and copying under this chapter: (2) information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies... if disclosure would endanger any person’s life, physical safety, or property. If at the time a complaint is filed the complainant, victim or witness indicates a desire for disclosure or nondisclosure, such desire shall govern.”



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## **8. Resolving the Problem.**

Sultan Code Enforcement Services will continue to work on the noise disturbances as long as you and your neighbors continue to document the ongoing problems and submit the evidence to us. Enforcement Services generally are not able to witness/hear the noises, so the evidence needs to come from those impacted by their problem. As necessary, we will issue additional civil Notices of Nuisance Abatement order with increasing levels of civil penalties (fines) until the problem is resolved.