

How To Fight Noise

A GUIDE TO REDUCING COMMUNITY NOISE POLLUTION



Noise Free America • 1971 Western Avenue #1111 • Albany, New York 12203
info@noisefree.org • 877-664-7366

©2010 Noise Free America All rights reserved.

Table of Contents

Chapter 1: The Noise Problem	4
What is Noise?	4
The Noise Control Act of 1972	4
Facts About Noise	6
Effects of Noise	10
Noise and Crime	12
Chapter 2: Noise Free America	14
Activities and Impact	14
Local Chapters	15
Agenda	16
Chapter 3: Fighting Noise in Your Community	27
Noisy Neighbors	27
Filing a Lawsuit	31
Media	37
Events	38
Writing a Press Release	40
Holding a Press Conference	46

Appearing on Radio and Television	47
Letters to the Editor	48
Businesses and Public Areas	49
Noise in Public Areas	55
Elected Officials	56
Police	60
Anti-Noise Ordinances	61
New York City: Operation Silent Night	64
Quiet Alternatives	67
Conclusion	67

Chapter 1: The Noise Problem

What Is Noise?

Americans are bombarded by unwanted sound every day, from boom cars, loud motorcycles, leaf blowers, barking dogs, Muzak, noisy neighbors, and car alarms. Noise is intrusive and harmful. William H. Stewart, former US Surgeon General, stated, "Calling noise a nuisance is like calling smog an inconvenience. Noise must be considered a hazard to the health of people everywhere." Exposure to excessive noise is a threat to many aspects of life.

The Noise Control Act of 1972

The Noise Control Act of 1972 was the first federal law to regulate noise pollution. It acknowledged the harms of noise and established the Office of Noise Abatement and Control (ONAC) within the Environmental Protection Agency. In 1981, ONAC was de-funded by the Reagan administration and has not been reestablished. Reestablishing ONAC is Noise Free America's top priority

www.noisefree.org/newsroom/nfa/ONAC_EPA_1.pdf.

The Noise Control Act of 1972 is still in effect, but it is not being enforced. Reestablishing ONAC is the key to its enforcement.

The preamble for the Noise Control Act of 1972 states:

“(a) The Congress finds--

(1) that inadequately controlled noise presents a growing danger to the health and welfare of the Nation's population, particularly in urban areas;

(2) that the major sources of noise include transportation vehicles and equipment, machinery, appliances, and other products in commerce; and

(3) that, while primary responsibility for control of noise rests with State and local governments, Federal action is essential to deal with major noise sources in commerce control of which require national uniformity of treatment.

(b) The Congress declares that it is the policy of the United States to promote an environment for all Americans free from noise that jeopardizes their health or welfare. To that end, it is the purpose of this Act to establish a means for effective coordination of Federal research and activities in noise control, to authorize the establishment of Federal noise emission standards for products distributed in commerce, and to provide information to the public respecting the noise emission and noise reduction characteristics of such products.”

Facts about Noise

Loud sound is dangerous even when it is not painful. The human ear will feel pain at 120-140 decibels. Prolonged exposure to noise above 85 decibels can cause permanent hearing loss. While hearing aids improve some aspects of hearing loss, they also amplify distortions and can make the problem worse.

Sources of Noise

Noise can come from neighbors, boom cars, motorcycles, leaf blowers, car alarms, traffic, train horns, Muzak, barking dogs, and planes. Also, noise is often created within the home, from vacuum cleaners, hair dryers, and television sets.

Household noises such as gardening tools, power tools, loud toys, and stereos may cause hearing damage. Many children's toys (for example, rattles, musical instruments, and squeaky toys) have been measured at 140 decibels and above. Lawn mowers and leaf blowers are as loud as 130 decibels. Personal stereo systems can be 112 decibels. It is important to limit the frequency and use of loud appliances in your home.

Be aware of the noises around you. The National Bureau of Standards recommends the following tips to make your home acoustically sound:

- Place vibration mounts under major appliances and foam under small appliances.
- Use window drapes.
- Install padded vinyl, carpet, or linoleum to absorb sound.
- Seal holes or cracks in the doors with caulking or a minimum expansion foam sealant. Replace metal garbage cans with plastic ones.

Aircraft noise is also a problem in the home. Aircraft noise causes stress, sleep loss, and hypertension. Aircraft noise disturbs work and worsens academic performance. Home values decline due to noisy locations. In 1994, the Federal Aviation Administration commissioned a study of the effects of aircraft noise on housing prices, and found that on average house value raises 1.33 percent per decibel of additional quiet.

Understanding Decibels

Noise is measured in how much pressure is created by a sound wave in units called decibels (dB). The range of decibels is from 0 to around 140 dB. One hundred forty decibels will immediately cause damage to the ear. The scale is measured logarithmically; the sound doubles every ten decibels. Here is a list of common sounds and the decibels they produce:

Approximate Sound Levels in Decibels

Police siren	118 db
Rock band, disco	115 db
Missing muffler	115 db
Hole(s) in muffler	111 db
Tailpipe damage	109 db
Circular saw	107 db
Heavy truck at 90 ft	99 db
Power mower	92 db
Train at 50 ft	88 db
Printing press	80 db
Vacuum cleaner	74 db

Busy street traffic	70 db
Air conditioning unit	60 db
Interior of quiet car	50 db
Private office	41 db
Library	33 db

Regulations

The Occupational Safety and Health Association (OSHA) administers regulations for safety in the working environment. Here are their standards for permissible noise exposures:

Hours per Day	Sound Level dB
8	90 dB
6	92 dB
4	95 dB
3	97 dB
2	100 dB

1 ½	102 dB
1	105 dB
½	110 dB
1/4 or less	115 db

Effects of Noise

Auditory Health Effects

Noise-induced hearing loss usually occurs over a lengthy period. By the time it is evident, it may be too late. Early warning signs include a ringing or buzzing in the ear (tinnitus) and muffled hearing. Noise is one of the main causes of the hearing loss suffered by 28 million Americans.

Tinnitus is caused by damage of the hair cells in the inner ear after noise damage. Acoustic Trauma is caused by a short blast of loud noise that can induce short-term hearing loss and or which ringing in the ears.

Temporary Threshold Shift (TTS) is temporary hearing loss that a person suffers after exposure to loud noise. After a few hours in a quiet place, hearing will return.

Permanent Threshold Shift (PTS) is permanent hearing loss that

develops after months or years of continual noise damage. The damage builds up until it affects the everyday life of the individual. It does not go away after spending time in a quiet place; it is irreversible.

Non-Auditory Health Effects

Noise puts stress and tension on the body. The non-auditory health effects of noise include muscle reactions, heart palpitations, dilation of pupils, secretion of adrenalin and thyroid hormones, constriction of blood vessels, and movements of stomach and intestines. Studies show that boom car noise can cause kidney and heart failure.

In addition, noise damages mental health. Noise can make people anxious, angry, dissatisfied, and exhausted. Studies show that noise increases aggressive behavior and worsens depression.

Noise is a major reason for sleep loss, which can lead to chronic fatigue. Intermittent noise is more disruptive to sleep loss than continual noise. The Environmental Protection Agency states that a 35 dB sound level allows healthy sleep.

Noise and Crime

A US Department of Justice report outlines the problem of boom cars and possible responses (www.cops.usdoj.gov/pdf/305021550.pdf). Effective approaches include enforcing laws that specify noise level violations and using a “plainly audible” standard for car stereos. In New York City and Chicago, police are able to impound cars as evidence until the citation is adjudicated. A link to the full report is available on Noise Free America’s web site (www.noisefree.org/boomcars).

Communities deteriorate when there is excessive noise. The theory of “broken windows,” developed by James O. Wilson and George L. Kelling in 1982, asserts that broken windows are a gateway crime. If broken windows in a neighborhood are not repaired, vandals and criminals start to take over. Soon, there is a downward spiral of crime and public disorder. In 1996, George J. Kelling and Catherine Coles published Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities.

Similarly, the theory of “broken eardrums” views noise as a gateway crime. Excessive noise lead to community deterioration. If noise problems are not addressed, the level of crime is likely to increase. Also, noise violators are practically advertising the fact that they pursue lawlessness;

therefore, police should target noise violators as a means of apprehending the criminally-minded.

The Youngstown, Ohio local jail demonstrates this, as most of the criminals have noise violations. According to Mayor Jay Williams of Youngstown, "Loud music is overwhelmingly the prime city ordinance violation for those sent to the county jail."

By far, the most common complaint to New York City's Quality of Life Hotline is noise. There were 7,000 citations for noise violations in one year, which led to 1,000 arrests for outstanding warrants. These statistics indicate that noise is a gateway crime.

Chapter 2: Noise Free America

In the spring of 2001, Ted Rueter founded Noise Free America in reaction to the excessive noise while he was teaching at UCLA and living in Los Angeles. Since then, Noise Free America has grown significantly, with more than fifty local chapters in more than twenty-five states. In addition, Noise Free America has attracted extensive media attention (www.noisefree.org/newsroom/nfainthenews.php).

Activities and Impact

Noise Free America educates the public about noise pollution. Every month, Noise Free America issues a “Noisy Dozen” award is given to a noisy community, company, industry, or person (www.noisefree.org/newsroom/pressreleases.php). These press releases have generated a great deal of publicity, which puts additional pressure on local officials and the police to act (www.noisefree.org/newsroom/nfainthenews).

Noise Free America has appeared on the front page of newspapers in Lincoln, Nebraska (*The Lincoln Star*); Savannah, Georgia (*The Savannah Morning News*); Richmond, Virginia (*The Richmond Times-Dispatch*); and Madison, Wisconsin (*The Capital Times*).

In 2004, an article appeared in *Time Magazine*, "Just Too Loud," about noise in the US. A 2005 story on "20/20" featured Ted Rueter in a discussion of boom cars.

Local Chapters

Establishing a Local Chapter

Local chapters are an important part of Noise Free America; they are listed on our web site (www.noisefree.org/localchapters.php). Many of our local chapters have achieved significant success, such as stepped-up enforcement, noise monitors, and strengthened noise ordinances. Many local chapter members have testified before the city council and met with the mayor and police chief. To start a chapter in your area, contact us at:

Noise Free America
1971 Western Avenue
#1111
Albany, New York 12203
info@noisefree.org
877-664-7366

Attracting Members and Allies

Publicize your local chapter through press releases, media interviews, letters to the editor, handbills, flyers, and e-mail. Hold community meetings. Noise Free America's web site has space for each local chapter to strategize.

Agenda

Noise Free America has the following agenda:

(A) State

Each State of the United States is called upon to declare noise a dangerous form of pollution, a serious threat to health and safety, and a widespread problem subject to State jurisdiction. All States should adopt a comprehensive Noise Code which would form the general framework for county and local ordinances within the State. Counties and localities would be required to adopt the elements of the Noise Code and would be required to submit any allowable local modifications to the State for approval. No element of the Noise Code could be disallowed by the local jurisdictions. However, any local modification of the Noise Code or separate regulation construed to be more stringent than the State Noise Code would be allowed.

The Noise Code for each State should contain, but not be limited to, the following essential provisions:

(1) **Plainly audible standard:** Police and other enforcement officials shall detect excessive noise from motor vehicles, motorcycles, and houses according to the plainly audible standard.

(2) **Ten foot rule:** No motor vehicle or motorcycle shall emit an electronically amplified sound plainly audible beyond ten feet from its source.

(3) **No loud pipes:** No motor vehicle or motorcycle shall be equipped with an engine exhaust pipe or muffler not approved under given State noise abatement requirements.

(4) **No loud amplifiers:** The installation of electronic amplification equipment capable of generating noise beyond a specified decibel level within a motor vehicle shall be deemed a misdemeanor or better and subject the installer to a prescribed punishment and/or fine.

(5) **Punishment for loud pipes:** The installation of unapproved engine exhaust pipes or mufflers on a motor vehicle or motorcycle shall be deemed a gross misdemeanor and subject the installer to a prescribed punishment and/or fine.

(6) **No jake brakes:** The use of jake brakes on commercial motor vehicles shall be prohibited. Both the owner and operator of such vehicles

shall be subject to a prescribed punishment and/or fine. Air exhausts on air brakes shall be maintained to factory specifications.

(7) **Fines for loud vehicles:** The owner and/or operator of any motor vehicle or motorcycle issuing excessive noise or noises shall be subject to a prescribed punishment and/or fine.

(8) **Impoundment of loud cars:** Any motor vehicle or motorcycle issuing excessive noise or noises shall be subject to immediate impoundment either according to mandate or at the discretion of the enforcement officer. In the case of impoundment, the offending equipment shall be confiscated, and the owner and/or operator shall be subject to impoundment fees, equipment removal costs, and a prescribed punishment and/or fine.

(9) **No gasoline-powered leaf blowers:** The sale and use of all gasoline-powered leaf blowers shall be prohibited.

(10) **Punishment for owners of barking dogs:** The owner of a canine whose bark is heard continually beyond a given property line for a prescribed period of time shall be subject to punishment and/or fine. A third violation will subject the canine to possible impoundment within an animal shelter and the owner of the dog to further punishment and/or fine.

(11) **Limitations on power equipment:** The use of outdoor power equipment shall be permitted within time periods described by local or county ordinance.

(12) **Time limits on construction and garbage collection:** Construction activity and garbage collection shall be limited to time periods described by local or county ordinance.

(13) **Car alarms prohibited:** The sale and installation of electronic car alarms shall be prohibited. Within two years from passage of the Noise Code, the use of car alarms in a motor vehicle shall be deemed a misdemeanor or better and subject the vehicle to impoundment and the vehicle owner to prescribed punishment and/or fine. The use of more effective passive anti-theft systems (such as The Club and Lo Jack) shall be recommended and their use encouraged through public service announcements.

(14) **Limitations on jet skis:** The maximum exhaust noise issuing from jet skis shall be prescribed by State law. Violators will be subject to a prescribed fine and the offending equipment will be subject to impoundment.

(15) **Limitations on ATVs:** The maximum exhaust noise issuing from All Terrain Vehicles (ATVs) shall be prescribed by State law. Violators will be

subject to a prescribed fine and the offending equipment will be subject to impoundment.

(16) **Limitations on dirt bikes:** The maximum exhaust noise issuing from motorized dirt bikes shall be prescribed by State law. Violators will be subject to a prescribed fine and the offending equipment subject to impoundment.

(17) **Limitations on snowmobiles:** The maximum exhaust noise issuing from snowmobiles shall be prescribed by law. Violators will be subject to a prescribed fine and the offending equipment subject to impoundment.

(18) **No jet skis at public beaches:** Jet skis shall be prohibited from specified public State waters and public State beaches.

(19) **No ATVs and dirt bikes on specified lands:** ATVs and motorized dirt bikes shall be prohibited from specified public State lands.

(20) **Limitations on motorized watercraft:** Use of motorized watercraft on public waters shall be limited to times prescribed by county and local ordinance.

(21) **Zones without motorized watercraft:** A specified percentage of public waters within each State shall be free of all motorized watercraft.

(22) **Snowmobile restrictions:** Snowmobiles shall be prohibited from State lands.

(23) **Livability Courts:** Livability Courts to deal with everyday quality of life issues should be considered for every locale and/or county (along the model established in Charleston, South Carolina).

(24) **No state boom car training:** No school receiving State funding shall offer courses on the installation of prohibited electronic amplification devices in motor vehicles or the installation of motor vehicle exhaust systems which exceed State-mandated noise levels. Nor shall any student receive State funding in order to pursue such a course at any teaching institution, private or public.

(25) **Limitations on outdoor amplified speakers:** Outdoor amplified music shall be subject to county and local regulation based on guidelines prescribed within the State Noise Code.

(26) **Anti-noise curriculum:** A broad-based public education anti-noise campaign should be implemented, especially in the public schools.

(27) **State anti-noise coordinator:** Each State's governor shall appoint an anti-noise coordinator who will oversee the implementation of the Noise Code, assure compliance by counties and localities, arbitrate the changes and modifications requested by counties and localities, and oversee

the selection and training of sworn non-police “noise monitors” who will be granted full powers of enforcement for noise statutes.

(28) **All private vehicles:** The State Noise Code shall apply to all registered and unregistered motor vehicles. Exemptions for police, fire, ambulance, and other official and unofficial emergency motor vehicles as well as other special cases shall be considered by the noise czar on a request basis.

(29) **Limiting siren noise:** Qualifying locales of a certain population density may submit to the noise coordinator for his approval a plan to limit unnecessary horn and siren blowing by police, fire, and emergency vehicles.

(30) **Limitations on outdoor compressor units:** The noise from outdoor cooling fan and compressor units shall not exceed specified decibel levels within a specified distance from the nearest dwelling. Should measured decibel levels be exceeded, the owner of the equipment and/or the owner of the premises in question shall be subject to per diem prescribed fines.

(31) **Noise walls:** States should construct noise walls along highways in heavily-traveled and densely-populated areas.

(32) **Adequate funding:** States, counties, and localities shall provide funding and resources necessary for enforcement of these provisions.

(B) Federal

The Federal government is called upon to declare noise a dangerous form of pollution, a serious threat to health and safety, and a public menace.

To this end, Noise Free America recommends the following:

(1) **Establish a noise agency:** The dormant Office of Noise Abatement and Control within the United States Environmental Protection Agency should be revived with full funding.

(2) **Limitations on train horns:** The Federal Railroad Administration should reexamine its regulations regarding the length and duration of train horns at intersections that are equipped with bells, lights, and safety gates.

(3) **Limitations on back-up beepers:** The Occupational Safety and Health Administration should reexamine its requirement for back-up beepers and trucks and vans. At the least, it should require back-up beepers of diminished volume.

(4) **Federal studies of noise pollution:** The President's Council on Environmental Quality, the United States Surgeon General, and the Centers for Disease Prevention and Control should study and publicize the health and safety hazards of noise pollution.

(5) **FTC warning labels:** The Federal Trade Commission should (a) require warning labels on products that are capable of causing hearing damage; (b) mandate a maximum decibel level for all electronically amplified products such as not to exceed "safe and reasonable" use; and (c) ban all toys whose noise levels pose a documented risk to the hearing of children.

(6) **Quieting jet aircraft:** The Federal Aviation Administration (FAA) should set stricter noise thresholds for existing private and commercial internal combustion engine airplanes and mandate significantly quieter engines for future aircraft of this type.

(7) **Noise-silencing technologies:** The FAA should give high priority to the goal of reducing by at least half the current "noise quotient" near existing airports within ten years using noise-sensitive routing protocols and noise cancellation and silencing technologies. Furthermore, substantial cash prizes should be awarded to designers and builders of prototypes of "the world's quietest airplanes" for selected categories of aircraft. The manufacturers of such aircraft should be granted significant tax benefits and other competitive advantages by Congress.

(8) **Limitations on "piped-in" music:** The FAA shall set a maximum decibel limit for music "piped in" to airport terminals.

(9) **Limitations on car stereos:** The National Highway Traffic Safety Administration should impose standards on allowable decibel levels for car stereos.

(C) Businesses

Noise Free America calls upon private businesses to voluntarily limit noise from:

(1) Piped-in "background" music in retail and wholesale stores, malls, restaurants and workplaces.

(2) Loud television or radio sets in stores.

(3) Use of the store intercom for advertisements and internal communication.

(4) Outside amplified speakers.

(5) Deliveries between the hours of 10:00 pm and 7:00 am.

(6) Use of leaf blowers.

(7) Unnecessary use of back-up beepers.

(8) Unnecessary use of in-store buzzers.

(D) Automobile Manufacturers

Noise Free America calls upon American automobile manufacturers to:

(1) Cease offering promotional discounts for car alarms.

(2) Cease manufacturing keyless entry systems with loud "chirping" noises.

(3) Make production of quieter vehicles a top priority.

(E) Boom Car Advertising

Noise Free America calls upon manufacturers and distributors of boom car equipment to cease using violent and sexist imagery in their advertising.

Chapter 3: Fighting Noise in Your Community

There are many ways to make your voice heard. Always remember that you are not alone. Millions of people feel the same way you do. This chapter offers ideas for promoting a quiet environment, including media techniques, legal strategies, and dealing with noise from neighbors and businesses.

Noisy Neighbors

Do you know your neighbors? Are you on friendly terms? If not, introduce yourself. The best way to live peacefully is to have a positive relationship with those around you.

One excellent approach is to join or form a neighborhood association or watch group. The National Crime Prevention Council offers tips on starting a neighborhood group

(www.ncpc.org/topics/preparedness/strategies/strategy-starting-neighborhood-watch-groups). Three other resources are USA On Watch (www.usaonwatch.org), the National Neighborhood Watch Institute (www.nnwi.org), and Nation of Neighbors (www.nationofneighbors.com).

Noise levels in many neighborhoods have risen to extreme levels.

Making excessive noise indicates a lack of respect for others and leads to community deterioration. The Census Bureau reports that noise is the number one complaint people have about their neighborhoods, and the major reason why they wish to move.

When a problem arises, take action promptly. Try talking with the noisemaker. If the noisemaker is a child, speak with the parent. If the noisemaker is a tenant, speak with the landlord. Do not run to the noisemaker's house in a rage. A confrontational manner would catch your neighbor off guard and create barriers between you. Talk to the person when the noise is not occurring. If you cannot seem to get your message across, get a group of neighbors together who feel the way same way to speak with the offending party.

Another way to spread the word about noise issues is to produce handbills. Distribute them throughout the neighborhood.

Bob Borzotta's book, Neighbors From Hell, discusses the notion of "Love thy Neighbor." His web site (www.borzotta.com/nfh) offers insight on neighborhood noise problems. There are book excerpts (such as "Neighbors From Hell Syndrome" and "Lifestyle Diversity"), as well as a message board for noise victims. Borzotta offers principles and resources for more peaceful neighborhoods.

Barking Dogs

One common neighborhood noise problem is barking dogs. Many people do not understand that excessive dog barking is not natural and can be controlled. A well-trained dog will not bark constantly. Talk to the owner of the dog when you are not angry. If the owner does not take care of the problem, call the non-emergency police number (not 911). Write down the phone number and have it on hand. Ask for a police report on the incident. Find an ally in the mayor's office.

There are many ways to control dog barking. Owners should train their dogs through discipline or electronic collars. There are also ways for neighbors to control dog barking, including electronic products which emit a sound directed at the dog each time it barks. Viatek (www.bistelproducts.com) produces several noise-releasing products to stop barking. The Bark Stop and the Super Stop Bark (both around \$50 to \$70) are available at www.smarthome.com. The web site www.barkingdogs.net outlines ideas for dealing with barking dogs.

Clifton, New Jersey has enacted an ordinance against barking dogs. They define a noisy dog as one that barks for more than thirty consecutive minutes, two days in a row. The ordinance went into effect in February 2007. Fines start at \$250 for dog owners.

Boom Cars

Boom cars are increasingly popular, especially in urban areas. Boom car manufacturers, owners, and web sites take pride in being obnoxious. Boom car noise can cause hearing loss and serious health problems. There is widespread public support for restricting boom cars.

When dealing with boom car noise, do not approach the drivers, as this may be dangerous. Call the police right away. There is technology that records boom car noise, available at www.boomcareenforcement.com. If you can record the volume and license plate of the car, you can report it on the web site. Ask neighbors to also call the police non-emergency number when the disruption occurs. Do a petition to give to the police. Often, the police are more likely to listen to a large group of residents.

There are many citizen groups opposing boom cars, including Citizens Against Audio Trespass (www.ipetitions.com/petition/No_Booms), Lower the Boom (www.lowertheboom.org), and No Boomers (www.noboomers.com). Links to these and other anti-boom car sites are on Noise Free America's web site (www.noisefree.org/boomcars).

Filing a Lawsuit

Neighbor Law: Fences, Trees, Boundaries, and Noise, by Cora Jordan (Nolo Press, 2006) contains a great deal of useful information on dealing with noisy neighbors. Cora Jordan, an attorney and mediator, suggests several approaches to dealing with noisy neighbors:

1. **Get prepared.** Learn the law, including local ordinances, residential zoning rules, subdivision rules, state laws, and tenant rules.

2. **Open lines of communication.** Jordan writes, "Long before you complain, before you even have a problem, get out there and meet your neighbors. The long-range benefit of simply being able to call someone by name, of creating even the tiniest bit of goodwill, is enormous when a problem arises" (p.12).

3. **Never be hasty.** Jordan recommends a "wait and see" approach rather than reacting to a noise problem in anger and haste. Perhaps the noise will be a one-time occurrence.

4. **Keep a log.** Jordan states that "the most effective way to remain in control when faced with a neighbor is to sit down and describe on paper what is happening. This simple act will distance you from your anger and help you manage the situation. Writing down your concerns will tell you how serious the problem is and how often you are being disturbed" (p.13).

5. **Know who is responsible.** Rather than making an anonymous call to the police to complain about excessive noise, Jordan recommends first discerning the source of the noise. The police and landlords will appreciate your assistance.

6. **Approach the neighbor.** Jordan notes that "complaining to a neighbor is never easy. In fact, it can be so intimidating that people put up with terrible problems for years to avoid confrontation. However, by being pleasant and using common sense, you can make the task less unpleasant and much more productive" (p.15).

In approaching your neighbor, Jordan recommends the following (pp.16-17):

- ✓ assume the neighbor doesn't know
- ✓ expect a complaint against you
- ✓ choose neutral ground
- ✓ talk about something else first
- ✓ introduce the problem as a common concern
- ✓ state the complaint

7. **Complain in writing.** Jordan notes that sometimes people would prefer to complain in writing rather than in person. If so, a diplomatic approach is the best choice. Jordan provides the following sample complaint letter (p.18):

Dear Mr. Costas,

I am sure you would want to know that your dog has kept me awake for three nights this week. Could you please put him in the house after 10:00 pm so that he won't disturb the neighborhood? Thank you very much.

Sincerely yours,

Alice Baxter

8. Turn to the authorities for help. Jordan observes that "sometimes all the courtesy and common sense in the world just don't work. Sometimes neighbors can be thoughtless, nasty, and dangerous" (p.20). Therefore, noise victims must often seek the assistance of the authorities, including the police, the zoning board, animal control, or the public health department. If applicable, you might also try contacting your neighborhood association or coop board. Jordan notes that these entities "should be more receptive to your complaint because of your own efforts. Tell them what you have done to try to solve the problem. Present a copy of the records you have kept. When several people are involved, get everyone to complain at once, and keep it up until you get some action" (pp.20-21).

9. **Try mediation.** If your neighbor dismisses your complaint, Jordan suggests engaging the services of a trained mediator: "In mediation, you work out your own agreement with the help of a trained, neutral third party (mediator). One reason mediation between neighbors is so successful is because sometimes both neighbors need to have their say. Often, both have complaints about other issues. Once they are aired, a compromise involving everything in dispute is possible" (p.21).

10. **Sue for nuisance.** The author of Neighbor Law notes that a "private nuisance" is "whenever someone else's unreasonable action interferes with your enjoyment of your property" (p.39). If your neighbor's blasting stereo or howling dog is disturbing your peace and quiet, "you can sue your neighbor. You can ask the court for money damages or to make the neighbor stop the noise...For money damages alone, you can use small claims court; for a court order to stop the noise, you may have to sue in regular court" (p.39).

Jordan states that "what you really want is for the noise to disappear. However, having the neighbor ordered to pay you money can be amazingly effective in regaining your quiet. If the noise continues, you have a 'continuing nuisance' and can sue again and again" (p.40).

Small claims court is a very effective venue for noise lawsuits: "It's easy, inexpensive, and you don't need a lawyer" (p.40).

According to Cora Jordan, this is what you must show to sue for private nuisance due to noise:

- ✓ There is excessive and disturbing noise.
- ✓ The person you are suing is either creating the noise or is the landlord and therefore responsible.
- ✓ Your enjoyment of your property is affected. (You don't need to own the property--you can be a tenant.)
- ✓ You have asked the person to stop the noise (a letter should be enough)" (p.40).
- ✓ When seeking damages, you may be compensated for "loss of sleep, annoyance, or the inability to carry on normal activity without interference" (p. 40).

Each state has different limits on the amount you may seek in small claims court. (Sometimes, limits vary within states, county-by-county.)

According To Neighbor Law, the latest limits are as follows (p.325):

State	Monetary Limits
Alabama	\$3,000
Alaska	\$10,000
Arizona	\$2,500
Arkansas	\$5,000
California	\$5,000
Colorado	\$7,500
Connecticut	\$3,500
Delaware	\$15,000
D.C.	\$5,000
Florida	\$5,000
Georgia	\$15,000
Hawaii	\$3,500
Idaho	\$4,000
Illinois	\$5,000
Indiana	\$6,000
Iowa	\$5,000
Kansas	\$4,000
Kentucky	\$1,500
Louisiana	\$3,000
Maine	\$4,500
Maryland	\$5,000
Massachusetts	\$2,000
Michigan	\$3,000
Minnesota	\$7,500
Mississippi	\$2,500
Missouri	\$3,000

Montana	\$3,000
State	Limits
Nebraska	\$2,700
Nevada	\$5,000
New Hampshire	\$5,000
New Jersey	\$3,000
New Mexico	\$10,000
New York	\$5,000
North Carolina	\$4,000
North Dakota	\$5,000
Ohio	\$3,000
Oklahoma	\$6,000
Oregon	\$5,000
Pennsylvania	\$8,000
Rhode Island	\$1,500
South Carolina	\$7,500
South Dakota	\$8,000
Tennessee	\$15,000
Texas	\$5,000
Utah	\$5,000
Vermont	\$3,500
Virginia	\$2,000
Washington	\$4,000
West Virginia	\$5,000
Wisconsin	\$5,000
Wyoming	\$5,000

Attorney Jordan states that monetary damages from a small claims lawsuit can add up: "Once you have sued in small claims court, if the noise continues, you can sue again. Also, if other people are affected, get together with your neighbors. If ten people sue for \$2,000 each, that's \$20,000. Do it again--another \$20,000. Sooner or later, the noise should stop" (p.40).

Suing in regular court is also an option: "If you choose to sue in regular court and hire a lawyer, get her to write a threatening letter before you sue; that may be all that it takes. Sadly, some neighbors can be pretty rotten, and nothing short of a judge's order or high money damages will change the situation" (p.40).

Regardless of the strategy you pursue, remember that the noise victim is in the right and the noisemaker is in the wrong. Stick to your guns and pursue your grievance. Hopefully, peace and quiet will be yours.

Media

Start by researching all local media organizations. Put together a media profile of every newspaper, magazine, radio station, and television station in your area. Include the name and type of media, name of news editor, deadlines, and relevant reporters' names. Try to meet with reporters in person. To develop a relationship. Let them know of any stories you have in mind for the future, and ask what they are interested in.

Online media listings include:

www.newspapers.com

www.100000watts.com

www.radio-locator.com

www.radiostationworld.com

To get media coverage, you need a news angle. Appeal to human emotions, such as a sense of injustice. Spotlight noise victims.

Techniques for obtaining media coverage include holding a rally, conducting a press conference, performing a publicity stunt, staging a protest, or publishing a report. Get a high-profile person to back your cause.

The most important factor: make your story newsworthy and visually interesting. Make your story attention-grabbing, with great human interest.

Events

A rally can attract media attention and potential supporters. Other possible events include a demonstration, a march, or a protest. One possibility is to get people together in pajamas to protest late-night airport noise.

A sit-in (where people gather inside a building or space) was a popular tactic in the 1960s. One idea is to sit near a landscaping company that uses leaf blowers excessively.

Rallies should be carefully planned. Allow enough time to promote the event. In the business district, workdays at noon or 5:00 pm can draw attention from passers-by. On weekends and holidays, consider popular shopping areas. Find out if there are other events planned on the same day, and avoid scheduling then. Once you choose a date, get a police permit and publicize the event.

When organizing events, divide the work up among group members. Have one person take care of props and another take care of publicity. Advertise with press releases, media interviews, handbills, leaflets, posters, and e-mail. Remember to include contact information. Create banners and visuals. Have a slogan or chant that summarizes your main point. Rent or borrow cameras and speakers to record the event. Digital cameras are a good way to send images easily to newspapers and e-mail lists. Remember to write a press release and distribute it beforehand.

When the day comes, be confident and enthusiastic. Public events can evoke many reactions, both positive and negative. If you meet opposition, be calm and reasonable. Don't get into a fight or argument. You are in the public eye.

Writing a Press Release

Guidelines

Have an effective lead and a catchy title. Present the story in a straightforward, fact-oriented way, and avoid fancy language and the overuse of adjectives. Tell your audience why they should be interested. Think about how people will relate to your news and if they will feel connected to it. Write in the third person, as though the press release will appear in the newspaper word for word. Provide complete contact information.

Press Release Template

HEADLINE

Date:

Organization Name
FOR IMMEDIATE RELEASE:

Contact:
Your Name
Telephone Number
Fax Number
E-mail Address
Web site address

Your City, Your State — This is the opening paragraph. It should contain all of the particulars such as who, what, when, where, and why.

This is the body of your press release. Make sure to include any relevant information about your cause or event. Include things like the importance of reducing the level of noise in your community, your efforts to reduce noise, and the importance of others joining you in your fight. Include quotes from other noise affected by noise in your community, elected officials, and expert opinions and quotes on noise.

This is the last paragraph in your press release. Here you want to restate the contact information for you and/or your organization. This paragraph should read: "For additional information or a sample copy, contact: List all of your contact information."

The very last sentence should include information about the history of your organization, if applicable. If not it should be a short biographical blurb about you. For example, "John Public is a 20-year resident of Your Community. John is a writer who seeks to reduce noise pollution from boom cars to enhance the quality of life in Your Town.

#

(The ### symbol indicates the end of the press release. Do not omit.)

Sample Press Release

Savannah: Booms in the Night

July 1, 2003

Noise Free America

For immediate release

Contact:

Patrice Thomas

avidreader1957@hotmail.com

Ted Rueter

877-NOISE-NO

noisefree@hotmail.com

Madison: Savannah, Georgia is the winner of July's Noisy Dozen award from Noise Free America for allowing an avalanche of boom cars to threaten the health and quality of life of its citizens. While Savannah presents itself as a lovely, serene, Southern city, she holds a deadly secret of drugs, crime, and noise.

Savannah is the home of songwriter Johnny Mercer, who wrote "Blues in the Night." Unfortunately, these days Savannah is better known for its constant "Booms in the Night."

Patrice Thomas, a Savannah resident and a registered nurse, commented that "Savannah booms in the night and booms in the day. One afternoon last week, I counted 44 times that we heard boom cars invading the peace and quiet of our home--and it's far worse at night! It's no wonder that so many people are moving to the countryside. Any real estate professional will tell you that a quiet neighborhood adds significant value to your home. Boom car and loud exhaust thugs are robbing the value of people's homes!"

Nurse Thomas also noted that "boom car companies sell their wares by

promoting delinquency, bragging about the health risks of noise, and exploiting women. A recent ad for Pioneer Audio states, 'Your neighborhood could use a little wake up' and 'Your neighbors won't just hear you coming; they'll feel you, too.' JBL speakers promise 'bone-crushing bass' that will 'send your neighbors running for cover.' Corwin-Vega boasts that its speakers 'shake the living and wake the dead.' No doubt the constant thumping and pounding disturbs the peace of Mr. Mercer and his neighbors at Savannah's historic Boneventure Cemetery."

Thomas also noted a religious reason to oppose thunderous noise: "The deliberate assault from cars with low-frequency noise violates the sanctity that God has given to human beings," she said. "My heart aches for all the people who no longer have quiet time, to pray, to rest, to meditate, and to love."

Mark Huber stated that "noise from boom cars and the deep rumble of 'performance exhausts' on hot rods and motorcycles disrupt the soundscape and distract attention. They drown out the sounds that could alert citizens to danger, including terrorism."

Huber also stated that "I agree with Robert Hightower, Georgia's homeland security task force coordinator, who said, 'The eyes and ears of our citizens remain an invaluable weapon against any terrorist threat, anytime, anywhere.' Mr. Hightower should declare a 'zero tolerance' policy against noise that could mask the sounds of terrorist attacks."

Savannah, like thousands of other American communities, is up against a deeply entrenched and well-hidden network of enemies. Car stereo companies have product placement agreements with Universal Studios (producer of "2Fast/2Furious"). Primedia Corporation promotes the "living loud" lifestyle in over 40 car stereo and hot rod magazines. The Mobile Enhancement Retailers Association (MERA) and the Specialty Equipment Market Association (SEMA) actively tamper with noise legislation in states and municipalities, through a network of hot rod clubs and car stereo retailers.

Ted Rueter, Noise Free America's director, commented that "President Bush recently said that 'unwanted telemarketing calls are intrusive, they are annoying, and they are all too common.' Bush signed legislation creating a

national 'Do Not Call' list. I applaud his statement and his action. Now what we need," Rueter added, "is a national 'Do Not Boom' list. Unwanted booms from boom cars and loud exhausts are intrusive, annoying, and all too common."

"Only by confronting the multi-billion dollar noise-industrial complex," said Rueter, "can the people of Savannah ever find peace and quiet. Otherwise, boom car boys will continue to boom in the day and boom in the night."

Noise Free America is a national citizens organization opposed to noise pollution. Past winners of the "Noisy Dozen" award include Congressman Darrell Issa, Governor Jesse Ventura, VIPER car alarms, Circuit City, Flowmaster, and Richmond, Virginia. Noise Free America's web site is www.noisefree.org.

###

News Article in Response to Sample Press Release

The previous press release generated a front-page headline in the Savannah Morning News. The story put pressure on local officials and police to enforce noise restrictions.

Woman Makes Noise Over 'Audio Terrorists'
Savannah Morning News, July 30, 2003
by Scott M. Larson

Most days at Patrice Thomas' house there is a pound, pound, pounding on her home from the outside.

"They are so loud that they rattle the walls," she said.

"They" are what she calls boom cars. Most people who drive around town have heard them booming music from supped-up car stereos.

Living on Middleground Road, Thomas said she gets more than her fair share and she's trying to fight back. She and her husband successfully lobbied a group called Noise Free America to name Savannah the winner of their July "Noisy Dozen" award.

Thomas and Noise Free America blame loud, low-frequency music coming from cars for a variety of maladies ranging from delinquency to heart attacks and car accidents. Each month, they single out a single noisy person, company or community for the Noisy Dozen award. "Boom car drivers are truly audio terrorists," Thomas said.

In the 1990s, the city of Savannah passed a noise ordinance designed to target loud music coming from cars. It hasn't stopped people from boomin' their stereos down the road.

For one, loud stereos are a moving target. Secondly, when people see blue lights, they press the minus button on their stereo's volume control.

Loud stereos are a problem, said Savannah Police Sgt. Gary Parsons, who heads a crime suppression unit that works in Thomas' area. He knows all about her complaints and one day staked-out her area from 9 a.m.-1 p.m.

"Basically, I sat up on Middleground Road listening for stereos. There weren't that many at that time of day," he said. "We issued only a handful of citations over four days."

Police say they aggressively enforce the ordinance. Parsons maintains that the only effective way to get people to turn down their stereo is to have them pay the fine, which can run up to \$110 with court fees.

Ted Rueter, director of Noise Free America, blames both poor law enforcement and the stereo industry for the increase in booming cars nationwide.

"Only by confronting the multibillion dollar noise-industrial complex can the people of Savannah ever find peace and quiet," Rueter said. "Otherwise, boom car boys will continue to boom in the day and boom in the night."

In the meantime, Thomas keeps hearing booming stereos in her neighborhood. She and her husband are looking for land. They don't want to buy in an already developed neighborhood that might fall prey to boom cars in the future.

"We are looking for something very secluded. If this is going to be a problem in the future, we want to be secluded in advance," Thomas said.

Holding a Press Conference

Holding a press conference is another way to publicize your noise concerns. Choose a convenient, central location. Verify that the venue has all necessary equipment. Hold the press conference in the morning, for the convenience of reporters. You might hold a press conference near a business that sells noisy equipment. Be visually creative. Promote the event through press releases, media interviews, letters to the editor, e-mails, and handbills.

Make your presentation interesting. Focus on the human interest angle, such as a boom car victim unable to sleep. Keep it brief. Leave time for questions, and be prepared with well-reasoned responses.

Put together a press kit for journalists, including a press release, background material, fact sheets, brochures, and copies of slides or visuals. Distribute the press kits before the press conference. You can also mail press kits to journalists who did not attend the event.

Appearing on Radio and Television

How to Get On

Radio and television producers look for significant, interesting stories involving politics, health, education, and social problems. Compile a list of appropriate radio and television stations to contact. Evaluate their priorities, their viewpoint, and their style. Are they aggressive? Friendly? Send news releases, sound clips, and visuals. Follow up with a phone call. Do everything you can to make things easy for reporters.

The most important thing about television: it is visual. A story that is visually interesting will have a greater chance of getting aired.

A good way to solicit media invitations is to advertise in Radio-Television Interview Report (www.rtir.com). This is a bi-monthly publication that goes to 4,000 radio and television talk show hosts and producers. Advertisements often result in scores of interview invitations.

Preparation

Develop rapport with the interviewer beforehand. Decide on your key points and practice, practice, practice. Ask what questions will be asked. Suggest questions yourself. Keep repeating your main points, your organization's name, and your web site address.

On radio, focus on the interviewer and forget that people are listening. Try not to cough (but locate the cough button, just in case). Bring interesting sound clips.

On television, pay attention to body language and visuals. Look at the reporter, not the camera. Stay relaxed and open. Do not cross your arms, as it creates a barrier. Bring in visual aids, such as background pictures and props.

Letters to the Editor

A letter to the editor is a response to a news story, a column, or another letter. It is often the most popular section of the newspaper. The editor may receive hundreds of letters a day, so make yours concise and well-written. Include your full name and all contact information. Identify the article you are referring to by its headline and date. Focus on the main points. Be short and clear. Avoid clichés and puns. Attack ideas, and not the writers of them. Highlight the article you are responding. Have someone proofread the letter.

Businesses and Public Areas

Noisy Businesses

Most stores and shopping malls blast “background music.” Businesses believe that playing music will put customers in the mood to shop longer and spend more—when in fact the opposite is true.

Find alternatives to noisy stores by supporting small stores and farmers’ markets. Target has no background music; many people find it a pleasure to shop there.

Pipe Down (www.pipedown.info) is an activist group based in Great Britain which campaigns against background music. According to Pipe Down, more people dislike piped music than like it. In 1994, a London Gatwick Airport survey found that 43 percent said they disliked background music and 34 percent liked it (the remainder were impartial). Gatwick has since stopped playing background music.

Expressing Concern

Speak to the manager about the store’s loud music. Be calm and convincing. State how often you go to the store and that you will not return if the loud noise continues. You might also collect your receipts from a quiet store and mail them to a noisy store. Noisy stores will get the point: they’re losing money by blasting loud music.

When you complain, have your goal in mind from the start. Be specific about what happened and when, and be prepared with a recommendation. Be kind and polite.

If complaining in person does not prove effective, it is time to put your complaint into writing.

Letters of Complaint

Letters of complaint communicate that you are very serious about noise problems. It also makes a record of the complaint for future reference.

When writing a letter, be courteous. Do not use harsh language. Be firm but polite. Do not threaten a lawsuit. Be concise. Set a reasonable deadline for a response. If you receive no response, write another letter or make a phone call. Keep all correspondence.

Sample Letters of Complaint

Here is a sample complaint letter to a company whose music is far too loud and annoying:

May 19, 2009

Your Name

Your Address

Your City, Your State, Zip Code

Name of Contact Person/Consumer Complaint Division

Company Name
Street Address

Dear [Contact Person/Complaint Division]

Re: [account number / incident]

On [Saturday, October 7, 2006] I entered your store at [location] and was appalled by the loud music, which forced me to leave immediately because I could not think. I have complained to the manager in the store. Unfortunately, your response was inadequate. I am disappointed because I enjoy your products but am not able to shop under such conditions.

Please understand that my business will go elsewhere should this persist. I look forward to your reply and for a resolution to this problem. I will wait ten working days before taking action in other ways (a petition / protest, etc.). Please contact me at the above address or by telephone at (home and/or office number).

Sincerely,

[Your Name]

Enclosure(s) - [list any documents enclosed, such as testaments or receipts]

cc: [reference anyone you send this letter to, such as a different division of the company]

Here is another sample complaint letter, aimed toward a business that attracts noisy customers:

May 19, 2009

Your Name
Your Address
Your City, Your State, Zip Code

Manager/Owner
Company/Facility Name
City, State Zip Code

Dear Mr./Ms. Owner,

Allow me to say that I truly love your product/service and I have shopped/eaten at your establishment on a regular basis. I have enjoyed your product/service so much, in fact, that I have often recommended it to my friends and acquaintances.

Unfortunately, I find that I am no longer comfortable in your establishment because of the frequent and obnoxious thumping of boom cars. I estimate that I spend more than \$1,000 a year in your store/facility/restaurant, and I feel badly that my friends and I are forced to put that into a competitor's cash register. I would rather it go to you--which is why I am writing.

I think it's a tragedy when a group of disruptive noisemakers are allowed to interfere with our daily lives and pursuits. At times, I get some of that noise near my home, and I certainly call the police when I hear offenders in my own neighborhood. My insistence at having them enforce current regulations in my area has made a difference. I am also reviewing our local noise ordinance and speaking with others who are interested in putting an end to this offensive behavior that takes away from our quality of life.

When the boom box noise has been controlled in this area, I would be pleased to begin shopping at/using your store/facility/ restaurant again.

I encourage you to work with the local police department to greatly strengthen enforcement of our noise ordinances. You are losing business because of the constant presence of boom cars.

Yours truly,

Your Name

Finding Supporters

There are many ways to gain support from other consumers. You can file an online complaint with the Better Business Bureau (www.bbb.org). Join Noise Free America's message board; you may register on the bottom left-hand side of our home page (www.noisefree.org). You can voice your opinion by starting an online petition (www.petitiononline.com). Another web site that facilitates complaints is www.complain-complain.com.

Sample Petition

(TITLE OF PETITION)

Noise Free America Petition [Name of Petition Sponsor]

Addressed to _____

[Name Person(s)/Business who will receive the petition]

We, the undersigned, would like to bring your attention to the following problem, with the recommendation(s):

[Statement of petition example:]

Your constant use of leaf blowers every day at five in the morning is disturbing and damaging to those in the area. We demand that you refrain from using noisy leaf blowers at all times. A noiseless product to collect leaves and debris is the Hoover SpinSweep, available for a reasonable price at www.hoover.com.

Agreed upon by the following:

NAME	ADDRESS	GROUP	TELEPHONE
-------------	----------------	--------------	------------------

[list of signatures]

Noise in Public Areas

Unnecessary noise is increasingly common in airports, bathrooms, and public transportation. In 2005, trains in Essex were equipped with piped-in television. Travelers disliked the disturbance so much that they locked themselves into the public bathrooms at the stations to protest. A British poll indicated that 67 percent of travelers were against piped-in television, and it is no longer used at that station.

Here are some resources to complain about noise in public places:

Announcements

Amtrak has constant announcements in their trains, which is an annoyance for passengers. They have a complaint section on their web site (www.amtrak.com).

Airport Noise Issues

The Federal Aviation Administration (FAA) has a complaint section on their web site (www.faa.gov/contact). You can find contact an FAA official to complain about:

- Noise associated with an airport, concerns about wildlife disturbances, or get information about ongoing noise abatement studies and FAA's sound insulation program
- Noise not associated with an airport or civil helicopter noise
- A safety or noise issue caused by low flying aircraft

You might also contact FAA's Aviation Noise Ombudsman, who serves as a contact for issues about aircraft noise questions or complaints.

The web site contains information about ways to contact different departments regarding a particular issue:

Federal Aviation Administration
Aviation Noise Ombudsman, AEE-2
800 Independence Avenue
Washington, DC 20591

Elected Officials

Meeting with Elected Officials

To seek an appointment with an elected official, make a request in writing to the secretary or scheduler. Tell them whom you represent and

your agenda. Include possible meeting times. Follow up with a phone call. Don't be disappointed if your meeting is with a staff member; they often have a great deal of influence.

Make sure you are well-prepared. Research the background, voting record, and views of the elected official. Have your goal in mind. Keep the tone conversational. Stick to your central points. Be professional and courteous. Get the business cards of staff members. Send or request any follow-up material. Be sure to send a thank you note.

Letters to Elected Officials

Written letters are more effective than e-mail, because they demonstrate seriousness of commitment. Limit the letter to one or two pages and one topic. Use applicable real-life situations, such as the effects of 3:00 am garbage collections. Suggest ways that legislation would improve your community. Ask for a response. Include your name and address to show you are a constituent.

You may find the names of your Senators at www.senate.gov and your Representative at www.congress.org. A DC-based company (www.letterstocongress.org) will hand-deliver letters to Congressional offices for \$8.95.

Format and Tips for Letters

To Your Senator

The Honorable (full name)
(Room #) (Name) Senate Office Building
United States Senate
Washington, DC 20510

Dear Senator:

To Your US Representative

The Honorable (full name)
(Room #) (Name) House Office Building
United States House of Representatives
Washington, DC 20515

Dear Representative:

Chairperson of a Committee or the Speaker of the House

Address them as:

Dear Mr. Chairman or Dear Madam Chairwoman

Dear Mr. Speaker or Dear Madam Speaker

Cite these legislation identifiers when writing to members of Congress:

House Bills: "H.R. _____"

House Resolutions: "H.RES. _____"

House Joint Resolutions: "H.J.RES. _____"

Senate Bills: "S. _____"

Senate Resolutions: "S.RES. _____"

Senate Joint Resolutions: "S.J.RES._____"

Calling Elected Officials

You may call your Members of Congress through the Capital switchboard at 202-224-3121. Be sure to provide your address to show you are a constituent. Do not get mad; be straight to the point and brief. Tell them of public support for your position. Express appreciation for the staff member's time.

Federal Complaints Online

Noise Free America's web site has links to web sites to get your message to Congress. They are listed under "Federal Complaints" in the "Action Center" (www.noisefree.org).

- ✓ www.firstgov.gov: This site connects citizens to the federal government. The section "Voting and Elections" has information on contacting officials, including the president.

- ✓ www.govspot.com: This web site also has many resources to monitor federal government activities.

- ✓ www.nhtsa.dot.gov/email: This is the contact web site for the National Highway Traffic Safety Administration, whose main site is

www.nhtsa.dot.gov. You can find news and information about highway safety as well as send an e-mail about your thoughts and concerns.

- ✓ www.usbluepages.gov: The US Blue Pages is a service that provides contact information of government agencies and services in your area. You simply select your area by city or area code, specify the subject you are concerned about, and it gives you the contact information.

Police

Contacting Police

Do not hesitate to call the police about noise problems. Call the non-emergency number, not 911. Keep the phone number handy. Call as the noise is occurring and provide the address of the noisemaker. Record license plate numbers of the offender. Ask for a police report. If it is the middle of the night, ask them to call you back in the morning. Call as often as necessary. Get to know an officer or a commander and build a relationship.

You may also file a formal citizen complaint with the police. Find out if this should be done through a letter, e-mail, phone call, or in person.

Meetings

Many communities have town hall forums where residents can discuss issues with police officers. Some police departments have police community councils.

Anti-Noise Ordinances

Almost all municipalities have noise ordinances. Some deal with audible sound within a certain distance; others monitor the decibels of car stereos. The acceptable limit of a car stereo is usually between 70 and 80 decibels.

Police should be concerned about noise pollution, especially boom cars, because it is a gateway crime. Many drug dealers use boom cars to advertise their presence. Boom car drivers are often associated with gangs, guns, drugs, and crime.

It is important to research your jurisdiction's laws. Also, investigate who, what, where, and when people have registered noise complaints, to build support for your case.

The web site www.findlaw.com has links to local ordinances. The Bureau of Justice Statistics has a web site with information on crime, victims, and offenders (www.ojp.usdoj.gov/bjs/welcome.html). The Environmental Protection Agency has a web site dealing with noise pollution

issues (www.epa.gov/history/topics/noise/index). Noise Free America's web site has examples of many anti-noise ordinances (www.noisefree.org/modelord).

St. Petersburg, Florida requires that all noise must be under 60 decibels after 11:00 pm on weekdays and midnight on weekends. Noise violations result in up to 90 days in jail and a fine of \$500.

Lorain, Ohio has an extensive anti-noise ordinance. It gives police the right to confiscate boom car stereos on the second offense, and destroy them with a jackhammer.

In Albuquerque, New Mexico, anyone who produces noise over legal limits will be cited by the Environmental Health Department. They can be fined up to \$500 or sentenced to 90 days in jail.

Police officers in Chicago can seize boom car stereos that can be heard from 75 feet away. Owners may be fined \$615. Since this law went into effect, boom car business is down by one-third and at least three car stereo stores have closed.

The Noise Control Act of 1972 granted the Environmental Protection Agency the authority to impose noise restrictions. In 1983, the EPA codified a motorcycle and motorcycle exhaust system labeling program (40 Code of Federal Regulations &&205.158.206.169). The labeling program

requires that motorcycle and motorcycle exhaust manufacturers to attach a permanent seal to their manufactured product, stating that it meets the EPA's noise emission restriction of 82 decibels .

[www.rimotorcycle.com/pdf/files/EGPD%20label%20matchup%20program%20motorcycles%20\(2\).pdf](http://www.rimotorcycle.com/pdf/files/EGPD%20label%20matchup%20program%20motorcycles%20(2).pdf)). Any motorcyclist that does not have this label is violating federal law, and should be prosecuted.

Several cities are enforcing the EPA "label match-up" regulation, including Boston (www.noisefree.org/cityord/boston2.php) and Denver (www.thedenverchannel.com/news/13448439/detail.html).

In Green Bay, Wisconsin, citizens are allowed to report loud motorcycles and automobiles to the police department, via www.gbpolice.org/loudveh.shtml. Police then determine the owner of the vehicle, pay him a visit, take a decibel reading, and check for modified mufflers and an EPA stamp. Noise violators are issued a ticket.

New York City police are empowered to use the "plainly audible standard." Motorcyclists and boom car drivers can be issued a citation if the noise is plainly audible at 200 feet.

New York City: Operation Silent Night

In 2002, New York City developed a new program to enforce existing ordinances, called "Operation Silent Night." Because noise is the number one

complaint about the quality of life in New York City, the New York Police Department is cracking down on noisemakers. The following statement, made by the mayor of New York City, outlines the ordinance and how it pertains to crime and the quality of life.

October 7, 2002

www.nyc.gov

Improving Our Quality of Life: Operation Silent Night

By Mayor Michael R. Bloomberg

The number one complaint to the New York Police Department's Quality of Life Hotline is not squeegee men. It's not prostitution. It's not drug dealing. Far and away, the most vexing concern for New Yorkers is that there is too much disruptive noise in our communities. In fact, noise complaints made up nearly eighty-three percent of the calls received by the hotline last year, and the problem is getting worse. In the last nine months, 93,000 noise complaints have already been made.

In response to this escalating clamor, a new quality of life initiative took effect last Friday that aims to control unreasonable noise in neighborhoods throughout the City. It's called "Operation Silent Night" and it will help make sure that noisy New Yorkers start keeping it down!

The first phase of this coordinated, multi-agency effort will specifically target twenty-four locations identified as "high-noise zones" by the New York Police Department--the areas where people's lives are affected the most. Selection was based on the high volume of noise complaints from these areas to the Quality of Life Hotline, as well as information provided by local police precincts. Looking at these zones on a map shows us that disruptive noise pollution is clearly a citywide problem. The locations of the initial crackdown include: Soundview in the Bronx; Flatbush in Brooklyn; Greenwich Village in Manhattan; St. George in Staten Island; and Astoria in Queens.

Operation Silent Night is a long-term effort. Additional zones will be identified and targeted throughout the five boroughs in subsequent phases of the program. It's also a top priority for the New York Police Department. The Executive Officer in each zone's precinct will oversee the initiative to make sure noise issues are being addressed. Police, working with other agencies, will use sound meters, vehicle checkpoints and aggressive summons operations to crack down on excessive noise and make these communities more peaceful.

Operation Silent Night is part of the New York Police Department's broader commitment to continue to prevent quality of life infractions in New

York City. As we continue to attack offenses like graffiti and aggressive panhandling, we must also target other recurring problems that impair New Yorkers' quality of life. Blaring music from clubs and car stereos--loud and unruly bar patrons--the roar of speeding motorcycle engines and the continuous din of honking horns--all come together to create the sense of disorder that can lead to more serious crime.

So by making New York the most livable big city, Operation Silent Night can also help it remain the safest. To report loud, excessive, or disruptive noise, please call the New York Police Department's Quality of Life Hotline at 888-677-5433.

Quiet Alternatives

Using quiet products is a great way to reduce your exposure to noise and encourage others to reduce their noisemaking. One quiet product is the Hoover Spin Sweep, an outdoor product that collects garbage, sand, and leaves. It is a great alternative to leaf blowers. Easy to assemble, it may be used in driveways and parking lots. It has a six-gallon collection bin that is easy to empty. It sells for around \$100 and is available on web sites such as www.hoover.com and www.amazon.com

Neuton Mowers (www.neutonpower.com) offers a battery-powered lawn mower, which makes virtually no noise. It also weighs less, is easy to

handle, and can run for an hour. It has multiple functions, such as trimming and edging. It sells for around \$400.

Push lawn mowers are a good alternative. They make no noise or air pollution, and require considerably less maintenance. The web site www.reelin.com offers suggestions for using push mowers.

A noiseless leaf netting, Leaf It, is an alternative to leaf blowers. It lies on the ground to actually collect leaves. For more information, visit www.seasonalsolutions.net/leafit.html.

For a more complete list of links to available products, visit the Quiet Products section on Noise Free America's web site (www.noisefree.org/quietproducts).

Conclusion

The cause of fighting noise pollution is making progress. The public is becoming more aware of the physical and social harms of noise. More cities are passing and enforcing tough noise ordinances. Every action toward a more peaceful society makes a difference. We have the power to create a healthier, safer environment.