

# HOW TO HANDLE NOISE COMPLAINTS

## Who Should I Call?

Are you having a problem with noise in your neighborhood and do not know who to call? The first call you should make is to the **Newport Police Department (847-1212)**. Calling the police helps to document your complaint and gets a response initiated. You should call when you are experiencing the noise problem. Police officers will be dispatched when your call comes in or as soon as officers are available. Please be patient, in summer months the Police Department gets quite busy. Remember, the sooner you call the quicker the response will be.

## What Information Will The Police Want?

The police will want to know where the noise is coming from. Be as specific as you can. If you know the address of the source of the noise let them know. If you are not sure of the source of the noise, give them the general area.

They will also want to know where you are calling from. You can remain anonymous but it is easier for the officers to solve the noise problem if they know where the complaint is coming from. The officers will keep this information anonymous. If you wish to speak to an officer in

Person, you must let them know when you call in your noise complaint.

If you know what the source of the noise is, let them know when you call. For example, is it construction equipment? A loud party with music? Loud people yelling? Different sources of noise are covered by separate City Ordinances. Letting the police know what the source of the noise is helps to insure that the complaint will be handled promptly and properly. If you are not sure what the source of the noise is, an officer will be dispatched and the problem will be handled accordingly.

## How Will My Noise Complaint Be Handled After I Call The Police?

A police officer will be dispatched to the source of the noise. Zoning officials may also be dispatched to the scene, depending on the time the call is placed. Police and zoning will determine if a possible violation of City Ordinance is occurring. Frequently this requires taking a reading with a decibel meter (noise meter). If a violation is occurring, the person responsible for the source of the noise usually will be cited into municipal court. If there is no violation, police officers will usually tell the source of the noise that there are complaints about the noise and inform them of the city's noise ordinance.

## What If I Call And After The Police Leave The Noise Resumes?

Call the police again and let them know. Officers will be dispatched to the scene again. If there is a violation, a citation will be issued. When you call, ask to speak with the responding officer or zoning officials, they will tell you if a violation is occurring. Excessively loud human voices alone can not be cited until after 1:00am. Our ordinances are strictly guided by Rhode Island case law; we are required to follow certain procedures.

Depending on what zone you live in, varying degrees of noise are allowed at different times of the day.

Permissible Sound Levels		
Zoning District	Time	Sound Limit
Residential	10pm – 7am	55 dBA
	All other times	65 dBA
Limited Business	1am – 7am	55 dBA
	All Other times	75 dBA
General Business	1am – 7am	55 dBA
	All Other times	75 dBA
Waterfront Business	1am – 7am	55 dBA
	All Other times	75 dBA
Commercial - Industrial	1am – 7am	55 dBA
	All Other times	75 dBA

**What Happens If The People Responsible For The Noise Are Cited Into Municipal Court?**

The offender is given a Municipal Court Summons to answer a city ordinance violation. The offender must appear in Municipal Court on the given date and plead to the charge. If they plead not guilty, they are given a date to return to court for a trial.

If there is a trial the City must prove its case beyond a reasonable doubt. The police and zoning officers will appear in court and testify as to their findings. The complainant usually does not have to go to court but can if they want to. The judge will make a finding as to guilt after hearing all the evidence against the accused. The accused can also present evidence in their favor. The judge is bound by evidence presented, in making their finding of guilt or innocence.

**What Will Happen If They Are Found Guilty By The Judge?**

The judge is governed by city ordinance in assessing a penalty. The fines can be up to \$1,000 plus court cost for each owner or individual named on a lease who are present at the time of the violation. If the defendants are found guilty, a landlord may also be cited into court for having nuisance tenants. The landlord can also be fined. It is within the discretion of the judge to dismiss a charge or waive a fine if they feel it is best in the interest of justice. If an individual is found to be not guilty after a court trial, there is no fine and they are free to go.

**What If I Am Not Satisfied With The Way My Noise Complaints Are Handled Or The Noise Problems Are On Going?**

The best thing to do is call the police department and ask to speak to the officer in charge if the noise is on going in the same night. Explain to the officer in charge that the noise is continuing. The officer in charge will send a police unit to the source of the noise again. The officer may also tell you that there is no violation. If you are told there is no violation, there is nothing further the police can do because the source of the noise is not violating any ordinances.

You can call community policing and or zoning enforcement if there is an ongoing problem with noisy neighbors. For convenience sake their numbers are listed below if you are not sure which one to call, call any and they will refer you to the right one. These officers specialize in neighborhood problems and have a very good success rate at solving them.

- NORTH END C.O.P. 846-0993**
- FOURTH WARD C.O.P. 849-7207**
- THIRD WARD C.O.P. 847-0686**
- BROADWAY C.O.P. 847-9922**
- ZONING ENFORCEMENT 846-9600 x261**

**Nuisance Enforcement Team  
P, Z, D, & I Department  
City of Newport  
43 Broadway  
Newport, RI 02840**

