

Noise Complaints FAQ

What does the ordinance say?

- An owner of property (residential, commercial, rental or owner-occupied) may not have a noise nuisance on their property. (80-63 Milwaukee Code of Ordinances)
- Point source noise (noise from factories, equipment on commercial buildings, etc.) is measured and regulated by DNS.
- Intermittent noise (boom boxes, loud parties, live music, etc.) is measured by the Milwaukee Police Department (MPD). If they can hear noise 50 feet away from the property, they can issue a citation.
- If a citation is issued to an occupant, MPD will forward a copy to the Department of Neighborhood Services (DNS) who will issue a notice of violation to the property owner.
- If a second citation is issued to the same tenant and the owner takes no action to correct the problem, DNS will notify the owner that the cost of police services and related administrative costs will be assessed against the tax bill of the property from where the noise was produced.

What should property owners do?

- Educate their tenants about both the law and their lease. All leases prohibit such noise violations by state law.
- Advise tenants to give their telephone numbers to neighbors who could call them before they call the police.
- If you receive a Notice of Noise Violation from DNS, discuss it with your tenants. If the lease is month to month, consider serving a 14 or 28 day notice to end the lease due to a lease violation or warn them that the next such incident will result in eviction.
- If the lease is greater than month to month, give a 5 day notice to cure and explain the consequences of a second noise violation.
- If you receive a second notice, consider an eviction action as an alternative to your being assessed a tax lien for police and administration costs.
- For duplex and multi-family dwelling owners, use the opportunity to prevent noisy tenants from driving away your good tenants.
- Talk to the neighbors at your property should you get a notice of violation related to a noise nuisance and let them know what action you are taking. Give them your telephone number so that they can let you know what is happening to your property.
- Take DNS's Landlord Training Program. If you have done so some time ago, come back for a refresher. Call 286-2954.

What should tenants do?

- Enjoy your home at a noise level that does not disturb others.
- Keep windows and doors closed to minimize noise from leaving the premises.
- If you plan on a party and can foresee potential problems, call your neighbors and give them your telephone number. Ask them to call you instead of calling the police if the noise is a problem.
- If you receive a noise citation, plan on a visit from your landlord and be prepared to explain why it will not happen again. Apologize to neighbors. Pay the ticket or contest it in court.

- If you receive a second citation, plan on looking for a new place to live. Most landlords screen out tenants with a history of eviction, so plan on a difficult search.

What should neighbors do?

- If noise gets too loud from a neighbor's property, call the occupant and ask nicely to have them keep the noise down. Surprisingly, asking nicely often is effective.
- If you do not know who to call, consider calling the landlord if it is a rental unit.
- If all else fails, call the Milwaukee Police Department at 933-4444.
- If they do not respond by the time that the noise ends, you can ask the police to issue a ticket IF you are willing to appear as a witness in Municipal Court.
- If the problem persists and you have documented it adequately, you may be able to institute legal action for damages. Contact the property owner with a written notice that a problem has occurred and ask for their assistance in preventing a recurrence. In cases of persistent problems, your documentation may be the basis for a private suit for deprivation of the quiet enjoyment of your property. Keep a chronological diary with dates, times, addresses and a description of the incident. Solicit neighbors to do the same.

What is not covered by the noise ordinance?

- Noise from vehicle horns – that is handled by the Milwaukee Police Department. No matter what time of day or what day it is, a car tooting its horn is an alarm and an alert. IT IS NOT A DOOR BELL!
- If the police are unable to respond in a timely manner, they will issue a noise citation if you are willing to be the witness in court. Get the license plate number and vehicle description. For car stereo noise call MPD or visit any police station and request a PL-36 Noise form. Follow the directions. Auto audio violators face up to \$500 fines, plus confiscation of their audio equipment.

What if the noise is coming from an owner-occupied property?

- The Nuisance Noise Ordinance applies here as well. The owner will be notified after the first citation and charged with the cost of the police services after the second citation.