



Seattle Nightlife Noise

Approach Combines Business Assistance with Enforcement

When one of Seattle's most popular live music venues changed music programming to include bass-heavy types of DJ music and live acts, tensions escalated. Nearby residents complained nearly nightly and frequent police visits to demand lowering music volume proved fruitless. Without an effective or enforceable tool or ordinance to address amplified music levels associated with nightlife, The City was challenged to resolve chronic noise complaints. The newly formed collaborative model called the Joint Enforcement Team (JET) worked with the business owner, police and residents to resolve noise issues while still supporting the business's contributions to the city's music vitality.

Problem Statement

The challenge facing the City of Seattle was how to address chronic noise complaints by residents and how to convince a business owner of the need to invest in soundproofing without an effective or enforceable tool or ordinance in existence which addressed amplified music levels associated with nightlife.

Goals of the process included bringing the business into compliance and establishing effective communication with residents to assess the severity of the problem and address their concerns adequately. We also aimed to open up communication with the business owner to assist them in finding a financially feasible and effective solution to the amplified sound problem.

Stakeholders

Residents, Business Owner and City of Seattle: JET. The City established a Joint Enforcement Team (JET) to provide a framework for nightlife enforcement and regulatory assistance by a number of different city departments. A Policy Team oversees the work of the JET and provides policy and program guidance. These teams were established to ensure proper coordination among city departments and to provide comprehensive regulatory and enforcement tools to address the complex issues surrounding nightlife in mixed-use neighborhoods. The JET discusses all manner of nightlife issues whether it be public safety, tax & licensing, health, liquor, noise, street use, zoning or land use.

The JET meets every two weeks to discuss nightlife activity, enforcement actions and to develop recommendations for the Policy Team to consider. The Policy Team meets once a month and tracks trends and developments, and makes recommendations regarding new city policies such as noise and sound ordinances, density, zoning, food service, new licensing programs, deployment, definitions, etc.

The JET Team includes representatives from the following City, County and State departments:

- SPD Precinct Representatives (Law Liaisons and Community Policing Captains from each of the 5 precincts in Seattle)
- SPD Vice
- Fire Marshall's Office
- Department of Transportation (SDOT)
- Executive Administration (DEA) tax & license
- Planning and Development (DPD) zoning & land use
- WA State Liquor Board
- King County Public Health
- Office of Economic Development (OED) Nightlife Technical Assistance
- Mayor's Public Safety Liaison

Process

Chop Suey is one of the most popular small-to-mid sized live music venues in Seattle. In early 2007 the venue changed its format to include bass-heavy types of DJ music and acts with Drum & Bass, Electronic and Techno music nights. As a result, surrounding residents complained repeatedly over many months about the noise and deep bass sounds disturbing their sleep that were escaping from the club in the late-night/early morning hours. This conflict escalated to the point where residents were calling police almost nightly, which yielded repeated visits by Seattle police to the club to ask them to turn down the music.

Despite continued conflict, no sound proofing improvements were made. Music continued at high levels with sound escaping the club. Angry residents continue to call and police continue to visit the club on a frequent basis. Tensions escalated to an almost fever pitch, when the press began to publicize the story and accusations of harassment on the part of the Police, City and the Mayor ensued. The City was frustrated because it lacked an effective tool or noise ordinance to enforce, yet it still had to respond to the many complaints it was receiving from residents. At the same time, music and nightlife industry advocates defended the venue as a popular and both socially and economically important contributor to the city.

In January of 2008, the Joint Enforcement Team (JET), in cooperation with the newly formed Technical Assistance Program, turned the focus from enforcement to assistance. Conversations began with both residents and the club owner, and immediately began delving deeper into both sides of the issue. The Technical Assistance Program even loaned a noise meter to a resident to help all parties understand the extent of the noise disturbance. An intense and concerted effort was made by both the Technical Assistance Program and the Police Department to convince the owner to address the problem. The City

repeatedly requested the owner to make sound-proofing improvements (with no legal grounds to force him to make changes) while visits by the police continued. However, it soon became clear that the owner was not interested in investing to mediate the sound.

Unexpectedly, the business owner sold the business at the height of the conflict. The JET immediately sent the Technical Assistance Program in to make contact with the new business owner, talk about the history and gravity of the situation, and explain why it was in their best interest to invest up-front in sound mitigating measures. JET put the owner in contact with other local club owners and sound engineers to consult and offer multiple analyses and estimates of cost.

Within three weeks of initial contact, the sound-proofing improvements were made, and the problem was resolved. The improvements consisted of adding soundproofing to the inner wall, redirecting the speakers and strategically raising and surrounding the speakers with sandbags. In the end, improvements took about a week to complete and cost the club less than \$5000.

Shortly thereafter, neighbors who previously considered moving or suing because of the noise issue contacted the Technical Assistance Program to thank them for the assistance and personal attention, and to inform them that the problem had been satisfactorily resolved. JET continues to be in contact with the business owner in a supportive, cooperative capacity.

Outcome

The residential community surrounding the club received instantaneous relief by mitigating the amplified sound that had previously been escaping the club. Also from an economic development perspective, we helped keep this venue in business, and set a precedent for supporting venues that have a significant social and economic impact in the city. Seattle's status as a great music city is dependent on a variety of live music opportunities, which is a key component for musicians to hone their craft and establish themselves with an audience. These venues bring large groups of people into diverse areas of the city, which enrich the local community and serve as catalysts to economic development.

They are building blocks in which our music city reputation is defined, especially with the young and creative class. The vitality and the culture of our city is greatly enhanced by our ability to attract and keep local music venues. A single small-to-mid size venue such as Chop Suey can generate a yearly economic impact of over a million dollars in its local area (\$20/person x 52,000 people each year).

Greatest accomplishments from working with Chop Suey include:

- The restoration of relative urban peace to the residents nearby.
- Retention of a valuable business and live music venue.
- Growing credibility of the JET's Technical Assistance Program within the nightlife business community to effectively work with clubs to address problems.

- Minimal investment (a few thousand dollars) in sound proofing by the club. This is a great benefit to them because the new Nightlife Noise Ordinance due to come out soon would have almost certainly resulted in them paying hefty fines in the long run.
- Significant reduction in drain on Police resources related to calls for service on noise complaints.

Challenges and Lessons Learned

At the point Technical Assistance came into this situation, relations between the club, residents and police were so strained it was extremely difficult to effectively communicate with any of the stakeholders. This situation and tension had been going on for months, so there was a significant amount of doubt that a satisfactory resolution could be reached for all parties involved.

Advice: Begin communicating with residents and business owners as soon as the problem arises. Approach the issue from a business assistance angle in cooperation with enforcement, rather than a strict enforcement or strong-arm strategy.

Jurisdiction

There are approximately 834 liquor licensed establishments in the City of Seattle that are monitored by JET. Approximately 65 of these businesses are small-to-mid sized live music venues operating in relative similarity to Chop Suey. Of those 65, there are approximately 10 live music venues in the Capitol Hill neighborhood where Chop Suey is located, which is considered a nightlife or entertainment 'district' of sorts.

Funding

No additional funds were allocated to deal with this case, however the additions of programming and 4 new staff positions in January 2008 (including the Nightlife Technical Assistant Program, staff and management positions in the License & Tax office, and the Music and Nightlife Program Coordinator position with the Seattle Office of Film and Music) worked cooperatively to implement the technical assistance program and address complaints associated with the venue.

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