

★ **Roll Call Number**

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**Agenda Item Number**

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**Date** October 7, 2013

Request to speak from Robert Campbell, 846 E. Bell Avenue, regarding violation of the noise ordinance from boom boxes and loud car stereos on Bell Avenue.

Moved by \_\_\_\_\_ to

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED

APPROVED

\_\_\_\_\_ Mayor

\_\_\_\_\_ City Clerk

REGISTRATION FORM TO SPEAK AT CITY COUNCIL MEETING

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FILED

To: The Honorable Mayor  
and  
Members of the City Council  
City of Des Moines, Iowa  
c/o City Clerk

2013 SEP 26 AM 11:37

CITY CLERK  
DES MOINES, IA

I/We ROBERT CAMPBELL  
(Please Print)

hereby request permission to speak at the Des Moines City Council  
meeting of October 7, 2013, regarding

VIOLATION OF THE NOISE ORDINANCE  
BY PEOPLE WITH BOOM BOXES AND LOUD  
STERIOS IN CARS DRIVING UP AND DOWN  
BELL AVE OR ANYWHERE ELSE IN THE  
CITY OF DES MOINES, WHICH AT TIMES  
IS VERY UNREASONABLE TO HOMEOWNES + TAX  
PAYERS OF THIS CITY

Name: Robert Campbell  
(Signature)

Address: 846 E. Bell Ave

Daytime Phone: 515-244-5171 HOME  
333-2944 CELL

PROCEDURAL RULES OF DES MOINES CITY COUNCIL:

Part III. Agenda

Rule 16. Citizen Agenda Requests. Any citizen may request the right to have an item placed on the Agenda (including a request to speak) by filing such request in writing with the City Clerk prior to noon on the Wednesday preceding the Council meeting.

Part V. Citizen Participation

Rule 27. Citizen's Right to Address Council. Persons other than Council Members shall be permitted to address the Council only upon specific Agenda Items.

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FILED

2013 SEP 26 AM 11:40

CITY CLERK  
DES MOINES, IA

To the Members of the City Council

I am coming before the City Council to ask that they start curbing the excessive noise coming from boom boxes installed in vehicles that drive up and down the street I live on (846 E. Bell Ave) or anywhere else in this city.

I hear these vehicles with boom boxes 24 hours a day and night intermittingly, 7 days a week.

Do we actually need people driving 4 wheeled boom boxes that rattle windows (Frequently) and shake things off shelves (Occasionally) on a residential street ???

I am not trying to ban boom boxes, as some people seem to think, what I want is for the operators of boom boxes is to keep their music ??? within the confines of their cars which will not violate the rights of people around them because they choose to play music ??? and make intermittant unnecessary noise with their boom boxes.

I have called the police on several occasions who have been helpful, but only this City Council can send a clear message to boom box players who are violating the rights of homeowners to peaceful enjoyment of their own property.

The front of my house sits 35-40 feet (approx) from the center line of Bell Ave.

Everything has been done to this house, over the last 12 years that can be done to it, as far as I know, to curb noise from the street and from my neighbors.

with a four season porch built on the front of the house with 3" thick heavily insulated walls and the actual front of the house with another 4" wall covered with bobcar siding over new steel siding over 1/2" pink Corning fiberglass insulation, I still hear these boom boxes 24 hours a day intermittently which I feel is a violation of my civil rights as a tax payer of this county.

This is unnecessary noise, is being created by individuals who choose to violate the peace and quiet of the people around them, that could if they choose to could keep this noise within the confines of their vehicle, but choose instead to see how much unnatural sound they can create just for the hell of it.

According to the noise ordinance passed by this City Council, Sec 42-259 Motorized Vehicles, Section D, "No person operating or in control of a motor vehicle shall operate a sound system in the vehicle so as to produce vibration or sound that is clearly detectable at a distance of 50 feet from the vehicle between the hours of 7:00 AM - 7:00 PM or clearly detectable at a distance of 25 feet from the vehicle between the hours of 7:00 PM to 7:00 AM" (abbreviated)

As I have said earlier in this statement the front of my house sits 35-40 feet from the center line of Bell Ave.

Is well insulated, yet I hear this noise 24 hours a day intermittently 7 days a week which

is a violation of my civil rights to peace and quiet and the peaceful enjoyment of my property, and a violation of my rights as a tax payer who is allowed reasonable peace and quiet from unnecessary noise created by others who don't give a damn about the rights of the people around them.

Is this what Polk County residents are supposed to expect for the pleasure of living in Polk County or Des Moines????

One neighbors house is 1500 feet from my house, this person turns on a stereo in his garage full blast, then sits in his house and drinks beer.

I have called the police on this man 3 times in as many months and the music goes down for awhile.

I have told this person if he persists in doing this he will be taken to court, is that the only way to resolve an issue in this society is sue somebody???

This mans house is 1500 feet away from my house (approx) and I can still hear this music?? clearly through I walk on the front of my house with my TV on.

Is this reasonable???

What I have been doing up to this date to solve this problem is not working in most cases.

I am tired of calling the police and bothering them for what most of these police Officers seem to think is a trivial matter, it may be to them, because they can't change peoples behavior.

If legal action is the only action that will get me the peace and quiet from boom boxes and their players, that I deserve, then legal action will be taken.

The Council has the authority and the obligation to enforce its own noise ordinance, if they want to.

And I am speaking on behalf of the 1000-1500 persons I have spoken to, or complained to, who also dislike this man made noise.

Most of these persons are older people or are seniors who feel City officials don't give a damn and it's something they just have to live with.

I would like this Council to take some action on this issue very soon.

Or is my only option to take legal action to get reasonable peace and quiet inside my own home ???

This is why I have come before the City Council and would like some action on this issue.

The least this Council can do is to crack down on people who violate the noise ordinance with impunity at this time and seem to feel they have a right to do this.

Home owners and property tax payers deserve at least that much from their government.

Thank You

Robert Campbell