

**From:** [Steve Sexton](#)  
**To:** [Kim Ohara](#)  
**Subject:** FW: 1724 Rio Vista  
**Date:** Thursday, November 16, 2023 12:57:02 PM

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Exhibit "15"

Thanks,  
Steve

Steve Sexton  
Mayor  
City of Burlington, Wa  
[steves@burlingtonwa.gov](mailto:steves@burlingtonwa.gov)  
360-755-2395

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**From:** Scott Rutherford <[scottwsrutherford@gmail.com](mailto:scottwsrutherford@gmail.com)>  
**Sent:** Thursday, October 19, 2023 8:06 AM  
**To:** Steve Sexton <[steves@burlingtonwa.gov](mailto:steves@burlingtonwa.gov)>  
**Subject:** 1724 Rio Vista

{**Caution:** *This email originates outside of the City of Burlington*} >

Good morning Steve. I just don't know where to start. Having issues again on the property at 1724 Rio Vista. The rents are back with parking the big diesel box truck up against the fence line and letting it idle for more that 30 minutes, along with other diesel vehicles that sit there and idle for 45 min to an hour. Their vehicles vibrate my house along with the noise is unacceptable. I call and report the issue to the Burlington police and they do nothing. So this morning I called and the office called me and told me he can do nothing, he has no teeth to tell them to turn off the truck. Said that I should call the property owner and get a lawyer. He said there is no code that he can enforce for the noise. I looked up the city code, and there is a code if I am reading it correctly.

#### **8.14.130 Noise Disturbance**

All **noise** disturbances defined in BMC [8.14.020\(L\)](#) and not exempt under BMC [8.14.050](#) are prohibited at all times. The content of the sound will not be considered in determining a violation. It is unlawful for any person knowingly to cause or make, or for any person in possession of property knowingly to allow originating from the property, unreasonable **noise** which disturbs another, and to refuse or intentionally fail to cease the unreasonable **noise** when ordered to do so by a police officer. **The following acts are considered to be noise disturbances if the noise is clearly audible across a real property boundary, or at least 75 feet from the source:**

**G. Frequent, repetitive or intermittently continuous sounds made in connection with the starting, operation, repair, rebuilding or testing of any motor vehicle, motorcycle, race vehicle, off-highway vehicle or internal combustion engine;**

**I. Loud and frequent, repetitive or intermittently continuous sounds made by the unamplified human voice or voices which are plainly audible at a distance of 50 feet or which can be plainly heard in any structure or building when the doors and windows are closed;**

#### **8.14.020 Definitions**

**K. "Noise" means the intensity, duration, and character of sounds, from any and all sources.****8.14.080 Motor**

vehicle noises – Stationary test.

L. “Noise disturbance” means any sound which annoys, disturbs, or perturbs reasonable persons with normal sensitivities; or any sound which unreasonably injures or endangers the comfort, repose, health, hearing, peace, or safety of persons or animals.

From reading these I feel like there are plenty of codes to enforce. I am extremely frustrated that as a homeowner that I have no rights and that they can do whatever they want on that property, at least that is what I am being told by the Burlington police officer that I talked with today - Case # 23-B8132. I don't know how many times I need to call to get things to change, so far I have made approximately 50 calls.

I know you are in a reelection campaign but I really need some help!

Scott Rutherford  
[scottwsrutherford@gmail.com](mailto:scottwsrutherford@gmail.com)  
360-391-5512