



ANGELA C.  
**EVANS**  
FAYETTE COUNTY ATTORNEY

## APPLICATION FOR NOISE / DOG BARKING COMPLAINT

Complainant's Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Address: \_\_\_\_\_

Offender's Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Address: \_\_\_\_\_

Please describe the location of the offending party in relation to your complaint, with as much detail as possible. *Example:* next door (right side) neighbor whose yard touches mine and is divided by a wooden privacy fence.

Please describe the offending noise with as much detail as possible: *Example:* 3 large breed dogs, possibly German Shepherds.

Please describe the location of the offending noise. *Example:* Dogs are generally tethered inside their fence in the back yard, which is parallel to my back yard.

Please describe what actions you have taken to resolve the issue with the offending party prior to requesting criminal action. Give the approximate dates and details of the offending party's response.

Do you have a Neighborhood or Homeowner's Association? **Circle one: YES NO**

Have you reached out to your neighborhood or homeowner's association for assistance in resolving this matter? **Circle one: YES NO**

**If yes, what was the result?**

What is your complaint?

How many people reside in your home?

Give their names and ages.

Will they testify on your behalf?

Please give the name, address, and phone number of any witnesses on your behalf:

Please provide details of your evidence and/or attach/submit (i.e. pictures, audio/video recordings, documentation, witness statements, etc..).

Do you understand that if the Fayette County Attorney's Office decides to proceed with criminal prosecution, that you will likely be required to testify in Court against the offending party, who will also be present for that testimony and have the opportunity to ask you questions (cross-examine) you regarding your complaint? **Circle one:**                      **YES**                      **NO**

Do you agree to testify against the Offending Party? **Circle one:**   **YES**                      **NO**

Do you understand that if the Offending Party is found guilty of Lexington-Fayette County, Code of Ordinances, Section 14-72 (10), Nuisances Created by Animals, that the Offending Party may only be required to pay a fine to the Court? **Circle one:**                      **YES**                      **NO**

Do you understand that the Fayette County Attorney's Office will be required to provide the Offending party with a copy of your answers to this document as well as any evidence you provide to support your claim. **Circle one:**                      **YES**                      **NO**

Do you agree to allow the Fayette County Attorney's Office to provide the Offending party with a copy of your answers to this document as well as any evidence you provide. **Circle one:**                      **YES**                      **NO**

Do you understand that Criminal Prosecution under this ordinance does not provide remedies such as removal of the animal, requiring the animal be kept indoors, requiring muzzles or other noise prevention devices to be worn, or any other remedy that would stop the noise from reoccurring? **Circle one:**                      **YES**                      **NO**

Do you still wish to proceed? **Circle one:**                      **YES**                      **NO**





Noise	Date	Time	Duration	Comments

**Please note that a prosecutor will review your answers, all evidence you submit, and the proposed complaint to determine whether the evidence is sufficient to prove in Court beyond a reasonable doubt. This is the highest legal standard and often complaints are rejected due to insufficient evidence to move forward. Further, the local ordinance requires that the noise must be one that would “annoy or disturb a reasonable person of normal sensitivities.” This will also be taken into consideration to determine whether or not criminal prosecution is warranted in your case.**

**Please sign that you acknowledge this:**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**