

**MAYOR**  
ROGER BOURKE

**TOWN COUNCIL**  
CAROLYN ANCTIL  
JOHN BYRNE  
SHERIDAN DAVIS  
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## Table of Contents

### Public Comments: Miscellaneous

<u>Page</u>	<u>Document</u>	<u>Date Received</u>
1	Roger Bourke, Mayor	August 8, 2022

### Public Comments: Proposed Noise Ordinance 2022-O-5

**Received: July 1, 2022 – August 9, 2022 @ 3:00 PM**

<u>Page</u>	<u>Document</u>	<u>Date Received</u>
2	Cliff Curry, Alta Lodge	July 11, 2022
3	Sara Gibbs, ACE	July 11, 2022
4	Ken Libre, Resident	July 11, 2022
5	Barbara Jordan, Resident	July 12, 2022
6 - 7	Margaret Bourke, Resident	July 12, 2022
8 – 9	Mike Maughan, Alta Ski Lifts	July 12, 2022
10	Cliff Curry, Alta Lodge	August 5, 2022
11	Tom Pollard, Rustler Lodge	August 8, 2022
12	Nancy Searle, Resident	August 8, 2022

**From:** Jen Clancy <[jclancy@townofalta.com](mailto:jclancy@townofalta.com)>

**Sent:** Thursday, August 4, 2022 2:16 PM

**To:** Roger Bourke <[RBourke@townofalta.com](mailto:RBourke@townofalta.com)>; John Byrne <[JByrne@townofalta.com](mailto:JByrne@townofalta.com)>; Carolyn Ancil <[CAncil@townofalta.com](mailto:CAncil@townofalta.com)>; Elise Morgan <[EMorgan@townofalta.com](mailto:EMorgan@townofalta.com)>; Sheridan Davis <[sdavis@townofalta.com](mailto:sdavis@townofalta.com)>

**Subject:** Message from the Mayor: West Peruvian Estates

*Dear Council,*

*Please see the message below from Mayor Bourke who will not be in attendance at the August meeting for the budget amendment vote regarding the water fund. He wants to share his support of this project and budget amendment for your consideration.*

Dear Town Council members,

There is an opportunity to make significant progress on improving the reliability of our water system this summer. We have a plan to install a new line and pressure reducing station through the west Peruvian Estates area that will replace aging infrastructure *and to install a new fire hydrant across from Hellgate Condominiums*. Our experience with the line break near the Alta Lodge this summer highlights the importance of new and improved lines for getting water to all of our community.

This project is more expensive than usual, about \$350K. While sufficient amounts are included in the water enterprise fund budget, there is not an explicit line item for this amount. Therefore, I think it prudent to advise you of this plan and ask for your support to amend the budget to incorporate this item. Note that it doesn't increase our expenditures this year, only reallocates them.

Why do it now? One never knows when there will be a failure so functional redundancy is always prudent. Further, prices of labor and material and going up—delay means it will be more costly. And finally, we have the budget available for such projects now, let's put it to good use.

I will not be at the August TC meeting hence will not be able to speak to this matter in person. But I want you to know that I support this change, and I hope you will too.

Roger Bourke  
Mayor Town of Alta

To Town of Alta Mayor and Town Council  
From Cliff Curry, President, Alta Lodge  
July 11, 2022  
Proposed Noise Ordinance

Honorable Mayor Bourke and Members of the Town Council,

Proposed ordinance 2022-O-5, as currently drafted, could very likely destroy the summer business of Alta Lodge and put 25 to 30 Alta Lodge staff out of work.

- Weddings are essential to the Alta Lodge summer business model. Without weddings, Alta Lodge would be financially unable to operate in the summer.
- Outdoor dancing and music until 11 pm are essential to summer weddings at Alta Lodge. Under the current informal noise ordinance ending time of 11 pm, typical evening wedding parties continue with outdoor music until 11 pm. If they could go to midnight, many of them would love to.
- Indoor music and dancing is not an attractive alternative for Alta Lodge summer wedding parties.
- 10 pm is not a reasonable end time for outdoor wedding music at Alta Lodge. According to a typical schedule for a big wedding, a 10 pm end time would call for a 4 pm ceremony and 5:30 pm dinner. Wedding couples are unlikely to accept that timeframe and would probably book their event somewhere else, not in Alta.
- Big weddings are more likely to go until 11 pm. Big weddings are the ones that make our wedding business financially viable.
- If Alta Lodge lost even half of its usual summer wedding business, our summer business would not be financially viable in my judgment.
- In that event, Alta Lodge would likely be forced to end all summer operations, including Sunday Brunch, leaving 25 to 30 Alta Lodge staff unemployed.
- 11 pm is a workable end time for wedding music, consistent with the current practice and our decades of experience in this business. For our big weddings on Fridays and Saturdays, midnight would be a great option.
- I do not believe that Alta Lodge wedding music has any significant harmful effect on Alta residents. This may be different than in other communities or areas with more residential density. My residence apartment in the Deep Powder House building is about the closest residence to Alta Lodge weddings, other than employee housing in Alta Lodge. Alta Lodge wedding music does not interfere with my peace and comfort.
- We agree with and support Marshal Morey's Briefing Memo with respect to the need for definition of times and places in the ordinance, and concerning the constitutional issues.
- We are always available to talk with Town staff, the Mayor and members of the Council about how ideas for new rules and regulations may affect the viability of Alta businesses.

Cliff Curry  
President  
Alta Lodge

**From:** Sara Gibbs, Alta Community Enrichment  
**Sent:** Monday, July 11, 2022 1:13 PM  
**To:**  
**Subject:** Noise Ordinance

Honorable Mayor Bourke and Members of the Town Council,

I am writing on behalf of Alta Community Enrichment (ACE) regarding the proposed town noise ordinance. I do understand and appreciate having set guidelines for noise but the 10 pm time may just not be the correct time for Alta. While we do not have many events past the 10 pm proposed time, this ordinance will affect a few of our community events, such as the annual summer drive-in. It would be unfortunate if we could not offer that event to the community if the town passed this ordinance.

I also feel that this chosen time will significantly affect the summer wedding business in town. The wedding music noise barely affects homes in the summer, as most are unoccupied. When I lived in Alta, I enjoyed the free music concert from the weddings at the local lodges! Once I went inside, I could no longer hear the music, thus no effect on my well-being.

Altering the 10 pm time to just a bit later would ease the stress on local businesses and our police officers who have to regulate ticket offenders. Thank you for taking steps to make our town a peaceful place, but we must keep our businesses alive and open too.

Sincerely,  
Sara Gibbs  
--

**Sara Gibbs**  
Executive Director  
(she/her/hers)  
[Alta Community Enrichment](#)  
801-647-7496  
[IG](#) / [FB](#)



**From:** Kenneth Libre

**Sent:** Monday, July 11, 2022 10:50 AM

**To:** Cliff Curry

**Cc:** Elise Morgan; John Byrne; Mike Morey; Roger Bourke; Sheridan Davis; carolyn anctil

**Subject:** Re: Alta Lodge comment about proposed noise ordinance

Hi Cliff,

I appreciate your perspective and want all Alta hotels to be viable. We are currently out of town to escape the summer noise of Alta.

The weekly onslaught from music aimed directly at our house from the Peruvian weddings makes our house unlivable on Fridays and Saturdays. Couple this with 7:00 am arrival of construction helicopters on many days (including weekends), the amount of high decibel noise in the Wildcat zone of the TOA from 7:00am to 11pm is unacceptable.

In your comments you note that you are not bothered by wedding noise from where you live. That is because your house does not “face the music” as others do so I don’t think you really have a full appreciation for the scope of the problem. It is not possible to fall asleep until after 11p on nights that a wedding is held at the Peruvian. We have to close our windows to somewhat escape the cacophony but the noise still penetrates.

Loud weddings from the Alta Lodge echo off of Powder Ridge buildings as well.

Both Sandy and Cottonwood Heights have regulations stipulating 10p for outdoor noise cessation. I question the assertion that wedding traffic would decrease if the noise curfew changed from 11p to 10p. The beautiful mountainous location and cool temps are the principal draw for weddings.

Maybe a solution can be found without changing the time curfew. Maybe music can be aimed away from homes or “Music Tents” with walls can be utilized to muffle the sound. I’m curious if the Hotels have any solutions to offer other than business as usual. The current situation is unacceptable.

Your neighbor and friend,  
Ken

**From:** Barbara Jordan

**Sent:** Tuesday, July 12, 2022 3:07 PM

**To:**

**Subject:** Please have read and recorded at the Town Council Meeting tomorrow. Noise ordinance section.

I write in support of reviewing the noise ordinances.

I support reasonable restrictions on outdoor sound/noise.

I support 8 hours of nighttime quiet to get the sound 8 hours of sleep everyone needs.

I support 1 additional hour of nighttime quiet to be able to decompress from 15 hours of noise generated by helicopters, construction, traffic, weddings, parties, family reunions, and more. It is nice to go outside and use the stars to decompress for the last hour of the day.

I support the prior practice of requiring parties to move indoors at 10 pm.

I support an outdoor noise curfew from 10 pm to 7 am.

Sound in the canyon travels and echoes. I can sit outside for example and hear Oktoberfest from Snowbird, the Chicken Dance from the Peruvian and music from up canyon.

Most in Alta do not have air conditioning. Our windows are open spring, summer, and fall for sure and sometimes in the winter. We can not close our windows and rely on air conditioning to mitigate the noise. We need a curfew to provide time without all the sound and noise.

We live in Alta and people visit for peace and quiet and surrounding beauty. Let's keep as much of that as we can.

Please keep 10 pm to 7 am for quiet time,

Barbara Jordan and family,  
Resident, Owner, Voter  
Powder Ridge

**From:** Margaret Bourke  
**Sent:** Tuesday, July 12, 2022 5:20 PM  
**To:** Molly Austin <[MAustin@townofalta.com](mailto:MAustin@townofalta.com)>  
**Subject:** Public Comment on the proposed ORDINANCE #2022 – O – 5

Dear Molly,

Please share my comments with the Alta Town Council members, Mayor, and town staff.

Dear Mayor and Alta Town Council members and staff

I write to express my support for examining the town ordinance related to noise. I understand Marshal Mike's constitutional concerns expressed in his introductory briefing memorandum. Arbitrary enforcement is something the town needs to avoid. How can the AMO be asked to grant or deny applications for loudspeakers for "cultural, political, intellectual, or religious interest" in any application projecting sound outside of any building, vehicle or out of doors..."? Such a scheme puts an undue burden on the AMO.

Instead, I favor a time-of-day restriction on outside amplification. Alta is my home. Alta is also a place of solace, quiet and rest for me, and for many, many others, both visitors and residents alike. We come to relax and listen to the sounds of nature: the call of the Redtail hawk, and at night, the sounds of a flammulated owl, great horned owl, snowy owl, or northern pygmy owl. We miss those sounds when the "background" noise is high; including when there is outdoor amplification, whether from parties, or construction activities.

Part of living in a community is respect for the rights and needs of neighbors. Light and sounds travel great distances in our community, that is both its charm and its bane. When the background noise is light, I can hear the sounds of the creek, though it is many, many yards from my open windows. I hear the birds both in the day and at night, but only when manmade noises are muted or minimal.

Some sounds are essential for our safety and well-being: sirens, avalanche bombs. Some are a necessary part of living in a ski community: snowcat grooming and snowmaking in the early winter. Some sounds though, are for the benefit of a few: a party at the neighbors, or a hiker with a boombox. We accept and tolerate some things that are not to our liking but graceful acceptance is best when limited in time, scope and disturbance. Should I have a nighttime party on my outside deck, that is likely to disturb my neighbors and it is too much to ask them to accept that, night after night, or, on into the late hours of the night. And, what would happen should my neighbors decide to also have a party, outside their home with lights and sounds which project beyond their property onto mine? Would we be in a struggle, increasing our respective volumes to hear enjoy our respective pleasures? What about our other neighbors, how are their evenings and nights affected by our cacophony?

We are becoming more and more aware that both light and sound have negative consequences on the natural environment. According to the [National Park Service](#) (NPS), **noise**

**pollution has an enormous environmental impact and does serious damage to wildlife.** Experts say noise pollution can interfere with breeding cycles and rearing and is even hastening [the extinction of some species](#). The natural and cultural sounds in parks awaken a sense of wonder that connects us to the qualities that define these special places. They are part of a web of resources that the National Park Service protects under the [Organic Act](#). People are legally required to respect noise pollution protections, according to the Noise Control Act of 1972 governed by the Environmental Protection Agency.

Noise is harmful to people and animals. According to the **World Health Organization (WHO) defines noise above 65 decibels (dB) as noise pollution.** To be precise, noise becomes harmful when it exceeds 75 decibels (dB) and is painful above 120 dB. As a consequence, it is recommended noise levels be kept below 65 dB during the day and indicates that restful sleep is impossible with nighttime ambient noise levels in excess of 30 dB." The same site identifies that "Bars, restaurants and terraces that spill outside when the weather is good can produce more than 100 dB. This includes noise from pubs and clubs." <https://www.iberdrola.com/sustainability/what-is-noise-pollution-causes-effects-solutions>

The University of Wisconsin [website](#) contains similar findings: "Noise pollution is human-produced sound that can damage ecosystems and quality of life. We contribute to noise pollution by driving cars, playing loud music, and operating other loud equipment. Studies have shown that noise pollution is directly linked to reduced sleep times in humans and other animals, which increases stress, promotes disease, and increases the occurrence of mental illness."

A simple solution in Alta is for structures to soundproof their venue such that loud noises will not travel outside that structure. Neighbors will not be disturbed because they won't hear it, no matter the time.

An alternative to time-of-day restriction of outside amplification, is to employ a decibel meter to monitor outside, nighttime noise, to ensure such sound is maintained below 30dB. I believe such monitoring would place an undue burden on the AMO. Therefore, I favor a time-of-day restriction, prohibiting outside amplification between 10PM and 7AM.

Thank you for looking into this issue and working towards a resolution which benefits the Alta community.

Margaret  
Margaret Bourke



**From:** Mike Maughan

**Sent:** Tuesday, July 12, 2022 1:28 PM

**To:** Roger Bourke <[RBourke@townofalta.com](mailto:RBourke@townofalta.com)>; John Byrne <[johnbyrne333@cs.com](mailto:johnbyrne333@cs.com)>; Elise Morgan <[emorgan@alta.com](mailto:emorgan@alta.com)>; Sheridan Davis <[sdavis@townofalta.com](mailto:sdavis@townofalta.com)>; [canctil@townofalta.com](mailto:canctil@townofalta.com); [jbyrne@townofalta.com](mailto:jbyrne@townofalta.com)

**Cc:** Mike Morey <[mmorey@townofalta.com](mailto:mmorey@townofalta.com)>; Chris Cawley <[ccawley@townofalta.com](mailto:ccawley@townofalta.com)>

**Subject:** Proposed TOA Noise ordinance Changes

Dear Members of the Town Council,

Thank you for your service in watching out for the interests of the residents, businesses, employees, and visitors that live, work and recreate in the Town of Alta. The past and current cooperation and hard work of these groups have significantly contributed to the uniqueness, beauty, and health of our community in upper Little Cottonwood Canyon. It is my hope that we can continue to work together as a community to address the concerns and issues regarding excessive noise.

I have reviewed the proposed TOA noise ordinance changes that you will be considering at the next Town Council meeting. The intent of this email is to share some impressions, concerns, and thoughts regarding this issue from the perspective of Alta Ski Lifts Company for your consideration.

1. It is my understanding that the impetus for the proposed noise ordinance change is primarily related to evening activities during the summer, however, the proposed ordinance is casting a much broader net that does not seem to take into consideration the uniqueness of the Town of Alta. Noise ordinances that would be applicable and make sense for a community in the Salt Lake Valley, may not take into consideration the uniqueness of the Town of Alta which includes the ski area and terrain located thousands of feet away from inhabited structures that would be impacted by noise, local business needs, and the acoustical properties of the canyon. Please note that the noise concerns and issues in a commercial core, residential area, campground, and remote area are different and may need to be addressed differently.
2. It may also be pertinent to acknowledge that the US Forest Service has designated Alta Ski Area as a high-use recreational area and given the ski area a special use permit authorizing various summer and winter activities that necessitate the creation of noise such as avalanche mitigation work, snow removal, snowmaking, grooming, maintenance and repair of infrastructure and equipment, vegetation and forest management, garbage removal, deliveries, and construction projects. Given the operational needs that create noise for ski area operations, ASL requests that the exemptions proposed under section 5-3B-3 (c) be expanded to include the noise sources necessary for ski area operations.
3. Given that the summer construction season is very short within the Town of Alta and is subject to weather conditions, construction activities at times may need to occur during weekend periods and during all available daylight hours to complete projects. It should also be noted that the flying of helicopters is subject to weather conditions (especially winds) and flying outside of the designated quiet time frames may be required.
4. To allow flexibility to deal with circumstances or situations that have not been identified, should exemption 5-3b-3 (d) be modified to simply say "The Town may grant a permit for times outside

this chapter upon application and compliance with requirements set by the Town”, rather than specifically citing helicopters used for construction.

5. It seems that the level of noise should be a factor in considering whether a noise is a nuisance and distributing the peace. For example, Park City has a noise level element that indicates there is only a violation when the measured noise level at or within the property line of a receiving property is in excess of 60 dBA within the designated quiet time. If a property owner creates noise that does not extend beyond his property at levels considered unacceptable within the designated quiet time, they do not deem it a violation. This makes sense.
6. The proposed language in 5-3B-1 (6) regarding shouting and loud conversations is problematic. The acoustics at different times of the day and other competing noises make this challenging to manage and enforce.

Thank you for taking the time to read this email. Hopefully, it helps with a solution to the identified issues and concerns.

*Michael R Maughan*  
*General Manager*  
*Alta Ski Area*  
*801-799-2265*



To Town of Alta Mayor and Town Council  
From Cliff Curry, President, Alta Lodge  
August 5, 2022  
Proposed Noise Ordinance

Honorable Mayor Bourke and Members of the Town Council,

Proposed ordinance 2022-O-5, as currently drafted, could very likely destroy the summer business of Alta Lodge and put 25 to 30 Alta Lodge staff out of work.

- Weddings are essential to the Alta Lodge summer business model. Without weddings, Alta Lodge would be financially unable to operate in the summer.
- Outdoor dancing and music until 11 pm are essential to summer weddings at Alta Lodge. Under the current informal noise ordinance ending time of 11 pm, typical evening wedding parties continue with outdoor music until 11 pm. If they could go to midnight, many of them would love to.
- Indoor music and dancing is not an attractive alternative for Alta Lodge summer wedding parties.
- 10 pm is not a reasonable end time for outdoor wedding music at Alta Lodge. According to a typical schedule for a big wedding, a 10 pm end time would call for a 4 pm ceremony and 5:30 pm dinner. Wedding couples are unlikely to accept that timeframe and there is a significant risk that they would book their event somewhere else, not in Alta.
- Big weddings are more likely to go until 11 pm. Big weddings are the ones that make our wedding business financially viable.
- If Alta Lodge lost even half of its usual summer wedding business, our summer business would not be financially viable in my judgment.
- In that event, Alta Lodge would likely be forced to end all summer operations, including Sunday Brunch, leaving 25 to 30 Alta Lodge staff unemployed.
- 11 pm is a workable end time for wedding music, consistent with the current practice and our decades of experience in this business. For our big weddings on Fridays and Saturdays, midnight would be a great option.
- I do not believe that Alta Lodge wedding music has any significant harmful effect on Alta residents. This may be different than in other communities or areas with more residential density, or closer residential proximity to wedding events. My residence apartment in the Deep Powder House building is about the closest residence to Alta Lodge weddings, other than employee housing in Alta Lodge. Alta Lodge wedding music does not interfere with my peace and comfort.
- We agree with and support Marshal Morey's Briefing Memo with respect to the need for definition of times and places in the ordinance, and concerning the constitutional issues.

Cliff Curry  
President  
Alta Lodge

**From:** Tom Pollard  
**Sent:** Monday, August 8, 2022 3:24 PM  
**To:** Jen Clancy <jclancy@townofalta.com>  
**Subject:** Comments on Proposed Ordinance 2022-O-5

Comments on the proposed Ordinance 2022-O-5

Thank you for allowing input on the proposed ordinance.

I support that this ordinance will set definitions and guidelines that will assist the Marshal's Department in enforcement of situations regarding incidents of "disturbing the peace". In many situations like this, it is a judgement perspective of the Marshal on Duty.

As Business operator, I would like to raise a concern regarding the following sections:

Section B, paragraph 1. This section would set a night time limit of 10 pm. This would be a hardship for events, especially summer weddings. I would propose changing the cutoff time to 11 pm. I also question the enforcement challenge of the "through partitions common to two or more persons within a building" section.

Section B, Paragraph 3. The hours of construction restriction of 6:30 pm to 7 am on weekdays and 6:30 pm to 10 am is very good. I would question the complete disallowance on Sundays. The construction window, "summer", is very short. Sometimes while not preferred, Sunday work is necessary to meet deadlines. If the Sunday ban remains in place, it would be helpful if there could be a variance process, if additional days of work become necessary.

In addition, if there is a way to regulate that "amplified" sound could be directed back toward the venue as opposed to outward, it could help with general disturbance.

Thank you,



Tom Pollard  
General Manager  
Alta's Rustler Lodge  
(801)742-4900 (direct)  
(801)243-0837 (cell)  
[rustlerlodge.com](http://rustlerlodge.com)



**From:** Nancy Searle  
**Sent:** Monday, August 8, 2022 9:48 AM  
**To:** Jen Clancy <[jclancy@townofalta.com](mailto:jclancy@townofalta.com)>  
**Subject:** Alta Noise Ordinance

To Whom It May Concern:

The Alta Noise Ordinance is a business decision. Allowing noise until eleven o'clock enables the Alta lodges to participate in the wedding/party/conference industry. It allows them to operate during the summer and to keep people employed. I believe employing individuals and allowing summer business to flourish trumps an extra hour of noise for the local residents. I live in a very conservative community in Illinois and our noise ordinance allows noise until eleven o'clock. I support our local business efforts and an eleven o'clock noise ordinance.

As regards the helicopter staging, we all must recognize the need for the avalanche device installation and also understand that helicopters are unable to fly in very hot weather. It seems to me that once again this is a business decision: to make the mountain safe for ourselves and our visitors we must allow these improvements and endure the noise for the short term. As regards using the parking lot to stage helicopters for other towns or resorts, a significant fee to our town should provide compensation for the inconvenience to our residents.

Alta is a wonderful community in which to live, but it is not perfect. Residents need to support our local businesses and safety improvements for our community, despite the small inconveniences that result from these activities.

Respectfully,

Nancy S., Searle  
9761ellgate Road  
Alta, Utah

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Nancy S. Searle  
847.212.4681