

MINUTES
ALTA TOWN COUNCIL VIRTUAL MEETING
Wednesday, August 10, 2022, 4:00 PM
Alta Community Center (virtual), 10351 E. Highway 210, Alta, Utah

PRESENT: Mayor Pro Tempore Elise Morgan
Council Member Carolyn Ancil
Council Member John Byrne
Council Member Sheridan Davis

STAFF PRESENT: John Guldner, Town Administrator
Mike Morey, Town Marshal
Chris Cawley, Assistant Town Administrator
Jen Clancy, Town Clerk
Molly Austin, Deputy Town Clerk

ALSO PRESENT: Polly McLean, Legal Counsel
Cameron Platt, Legal Counsel
Craig Heimark, Treasurer

1. CALL THE REGULAR TOWN COUNCIL MEETING TO ORDER

00:00:00

As Mayor Pro Tempore Elise Morgan called the regular town council meeting of August 10 to order promptly at 4:00 pm. Pursuant to Mayor Bourke's August 1, 2022 determination she said that it is in the community's best interest to hold this meeting virtually without an anchor location.

2. CITIZEN INPUT SPECIFIC TO DRAFT 2022-O-5 NOISE ORDINANCE

00:00:45

Elise Morgan reminded everyone there would be a work session on the noise ordinance in September. She said no action would be taken today and the council is still in the process of collecting comments. Jen Clancy informed the council of a mix up on the Town's website. In the process of drafting a comment form on the Town's website the page had accidentally gone live before the back end was finished. Later in the meeting she reported the comment form had been removed for the time being and that only one comment was submitted (was read and is attached in Exhibit A). Jen Clancy read all comments in full that were submitted to the Town since July 11; those comments are attached as Exhibit A to these minutes.

13:41

Chad Horne expressed frustration with the issue in a small town such as this, where everyone should be respectful. That said, if the Marshal's are asking for an enforceable ordinance, he suggests an end time of 11pm instead of 10pm. Our lodges rely on weddings in the summer and they are an important asset for all of us. Restricting the lodges to 10pm seems overly restrictive and would adversely impact our lodges abilities to host weddings and other social functions, some of which we as residents attend. He thanked the council.

Matt White of the Snowpine Lodge said he concurs with the comments made by the Alta Lodge. He reiterated the importance of the lodges being a good neighbor. He said they are strongly in favor of the 11pm cutoff, stating it was impactful in the promotion of their business. Matt White said weddings are absolutely the driver of their summer business and that they would be happy to participate in any solution based program to mitigate the noise effects for residential and commercial neighbors

3. DISCUSSION ON 2022-O-5 NOISE ORDINANCE

00:37:45

Elise Morgan reminded the council they were not voting on anything today but invited comment from the councilmembers on the draft noise ordinance.

Sheridan Davis thanked all of the business and resident citizens that had chimed in with comments. She said she had done a quick survey of similar mountain town's sound ordinances and reported that the vast majority had a 10pm curfew and had decibel measurements in place. She felt it was something the council should consider.

Carolyn Ancil mentioned she had not heard Mike Maughan's initial comment about the decibel receiver. She mentioned they had done readings in their home, and it tops 90 from the Peruvian Lodge.

John Byrne said he didn't feel people were opening their minds to what others were saying, and that people were advocating for the same position they had been advocating for all along. On a personal level he feels 11pm is reasonable and it maintains the historical curfew. He suggested the council needed a reasonable middle of the road compromise in order to give Mike Morey an enforceable ordinance. He offered up maybe they would be more successful if they just focused on night-time noise, and then in a separate ordinance address helicopter and construction noise because it seemed to be adding complications. He also expressed difficulty in how we are phrasing the discussion; meaning that if a council member were to vote against 10pm curfew then they would be voting against giving Mike and enforceable ordinance and that seemed unfair. He proposed the council find a way to separate the issues of enforceability and the curfew time. He suggested they consider where they have been and where they are going with the ordinance in order to find a good middle ground compromise. For instance the current ordinance is lodge friendly with no opportunity for citations. The lodges are only asking to maintain the historic curfew practice of 11pm and accepting that citations will now be able to be issued. The ski area would probably need to be exempted for all ski area operations. The homeowners are getting more visibility of this issue and the big win is that Marshal's Department is going to be able to issue citations. It will be more difficult for the lodges to ignore the deputy on duty once they have the ability to issue citations.

Elise Morgan said that Cameron Platt had reach out to all the town council members but wasn't able to speak with all of them, she asked if he still wanted to speak with them before the September work session. Cameron said it would be helpful to speak with each of the council members since staff's goal was to submit a draft or a series of drafts based on feedback from the community and the direction of councilmembers. Cameron reminded the council that there isn't a forced choice based on only two options, the town council has the ability to amend and rewrite whatever the draft is at the night they pass the ordinance, or they can direct staff to rewrite it based on their direction. Cameron added that legal council felt a decibel meter was the right way to go but that the experts at the County Health Department and the Prosecutors office have said that because of the acoustics in the canyon that its unenforceable to

use a decibel meter. Thus because of the geographic realities of where the town is at, we have limited availability and that's why they have drafted the language that's in the ordinance to be enforceable. Carolyn Anctil asked for clarification on the issue with decibel readings. Cameron responded that his lay person understanding from the experts at the health department that run the machines is that because of the echo, reverberation, and the angled canyon walls that they have similar problems as they have in a high-rise environment like downtown where there are sky scrapers. He said the machines require a certain amount of clear area and time during a measurement where the echos and reverberations don't affect the measurement. Its not to say that a meter reading is invalid but that it's not scientifically valid for admission in court for a Judge to enforce, and that's our difficulty.

Elise Morgan said she was trying to balance the needs of various parties. Moving forward she would like to see the noise ordinance apply to summer and winter, she hopes events like the torchlight parade on New Year's Eve be considered. She sees the focus being pushed on summer and weddings but they should keep in mind this will be a year-round ordinance. She also mentioned the construction window is so short and needs to be considered. Elise Morgan reported half the comments she's received are for 10pm and half for 11pm so maybe 10:30pm is in the middle. Elise Morgan asked for more public comment and for the councilmembers to communicate with Cameron Platt so we can get an updated draft or drafts before the work session.

4. CITIZEN INPUT

00:56:54

Jen Clancy read Mayor Bourke's comment about the Peruvian Estates water line. His full written comment is attached in Exhibit A.

5. ALTA SKI AREA UPDATE MIKE MAUGHAN

00:58:58

Mike Maughan was not present. No report was given.

6. APPROVAL OF CONSENT AGENDA

00:59:05

Elise Morgan asked for a motion to approve the consent agenda which includes the July 13th meeting minutes.

MOTION: Sheridan Davis moved to accept the minutes from the July 13, 2022 meeting and John Byrne seconded the motion. No discussion.

VOTE: All were in favor. The minutes from July 13, 2022 were approved.

7. QUESTIONS REGARDING DEPARTMENTAL REPORTS

01:00:57

Elise Morgan asked if there were any questions regarding the departmental reports. There were no questions.

8. DISCUSSION AND POSSIBLE ACTION ON 2022-R-17 TO AMEND THE FY 2022/23 WATER FUND BUDGET

01:01:09

John Guldner stated they were asking for a budget amendment so they could go forward with the Peruvian Estates West project. He said they have been looking at doing something in that area since 2011 and more formally since 2014. The current system is a six inch old pipe that's not buried as deep as it should be or could be because of the rocks when they put it in. Also, the pressure reducing valve (PRV) and pressure reducing station isn't working efficiently. Keith Hansen has suggested that instead of a loop system (which would need to go through USFS land) that they could get everything they want by putting in a new PRV station at the beginning of the subdivision and putting in a deeper and better bedded eight inch line. They will also run a new line down from the service area's reservoir (north side of Hwy 210) towards a fire hydrant near Hellgate and The Falls. With this plan they get everything they want without the loop. The cost of the project has about doubled since an estimate in 2014. John mentioned a walk through for anyone bidding on the project next week and said staff are setting up an informational meeting with the property owners in Peruvian Estates West. He also mentioned the project may not be doable this fall, and work may have to resume next spring. The water fund has the money for this project and it's best to amend the budget now to allow the project to proceed.

John Byrne commented that even if the project isn't completed this fall and work resumes next year that it will still be in this fiscal year. Sheridan Davis asked if there was any thought put into paving. John Guldner responded that it was a private road and the Town would not pave the road but that this work would not inhibit any paving. It was also noted that the town would have had to address the water line if the road was paved and plowed because of the frost line being driven down.

Carolyn Ancil said she supported infrastructure improvement especially for safety with fire etc. She asked if the bids received included daily digging noise starting at 7am and ending by 7pm for the month of September? John Guldner responded yes, and said the construction ordinance has worked pretty well for construction noise. He said they start at 7am and stop at 6:30pm (10am – 6:30pm on Sundays) and noise restrictions are attached to their building permit so the town has teeth in getting the contractor to follow those rules.

MOTION: Elise Morgan motioned to adopt 2022-R-17 to amend the fiscal year 2022/23 water budget. John Byrne seconded the motion.

Sheridan Davis asked if there would be a stop work date and John Guldner said yes and that it would be decided by the engineers and water system operator.

John Byrne asked if funds were being assigned. Jen Clancy said yes and that the project was being coded to 51-40-740 which is capital outlay. The budget amendment is increasing that line item by about \$350,000 to allow for this project.

Carolyn Ancil commented that she was supporting this because she feels it's her job as a councilmember and what's right for the community but that it will make her home unlivable.

ROLL CALL VOTE BY JEN CLANCY: Mayor Pro Tempore Morgan – I, Councilmember Anctil – I, Councilmember Davis – I, Councilmember Byrne – I.

The motion passed unanimous.

9. NEW BUSINESS

01:15:34

Elise Morgan announced Snowbird's Octoberfest was starting this weekend. John Guldner reported that Rocky Mountain Power (RMP) has been trying to get approval from the Utah Department of Transportation (UDOT) for line improvement repairs on Little Cottonwood Canyon but UDOT has been having issues with traffic and traffic management in Big Cottonwood Canyon with construction activities, so they have held up RMP until now. At this time, RMP has received approval for a one mile line worth of improvements on the north side of the highway starting at the LDS vault in the lower canyon. RMP says it will take two months to complete the project. In order to accommodate Octoberfest, they will only do lane restrictions and signaling Monday through Friday with one lane in many places for that one mile. RMP's goal is to start August 15. Mike Morey added that signaling would most likely be unmanned signals which cause delays and also are known to be problematic with drivers taking the signals as suggestions and asked everyone to be careful especially during the evenings.

Sheridan Davis asked for clarification from the USFS regarding what's legal for e-bikes or any electronic assisted device, where they are welcome and not welcomed. She's witnessed an uptick and is wondering if signage can be improved. She also asked if she could lead an agenda item on affordable housing next council meeting. She would like for the Town Council to speak more substantively about affordable housing and consider if it's a piece of the community center or look at other options in town.

Jen Clancy reported she had reached out to the USFS and Alta Ski Area regarding e-bikes. She would follow up with the council on the USFS policies and relatable Alta Ski Area actions in next month's staff report.

Mike Morey reported he is in conversations with Sandy City about securing a new contract for certain animal facilities so that we have access to a storage facility should we need to impound an animal. We haven't needed a facility in the last 20 years but it's an area we are aware we are deficient in. We had first reached out to Salt Lake County since they are a primary partner of ours, but their package included assuming all animal control responsibilities including licensing which is not the right fit. He said he would report back with a progress report.

Sheridan Davis asked about recent road closure due to a rainstorm and culvert issues. Mike Morey responded that culverts are engineered in a way to withstand certain forces and that in this situation it mainly operated as expected but that there was overspill and a car that got swept to the side of the roadway that prompted a more robust response against the canyon closure. The closure wasn't necessarily due to a large debris size but more related to the car that got swept.

MOTION: John Byrne motioned to adjourn and Sheridan Davis seconded.

VOTE: All in favor. The meeting was adjourned at 4:30pm.

Passed this 14th day of September, 2022

A handwritten signature in black ink, appearing to read 'Jen Clancy', written in a cursive style.

Jen Clancy, Town Clerk

MAYOR
ROGER BOURKE

TOWN COUNCIL
CAROLYN ANCTIL
JOHN BYRNE
SHERIDAN DAVIS
ELISE MORGAN



TOWN OF ALTA
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Exhibit A

Written public comments read at the 8/10/2022 Town Council meeting

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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 ¹
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
13	Kenneth Libre	August 10, 2022
14	Julie Willis	August 10, 2022

¹ Only the last bullet point of the comment received on 7/11/22 was read since the 8/5/22 comment from Cliff Curry was previously read in full.

From: Jen Clancy <jclancy@townofalta.com>

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

To: Roger Bourke <RBourke@townofalta.com>; John Byrne <JByrne@townofalta.com>; Carolyn Ancil <CAncil@townofalta.com>; Elise Morgan <EMorgan@townofalta.com>; Sheridan Davis <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

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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>
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>; John Byrne <johnbyrne333@cs.com>; Elise Morgan <emorgan@alta.com>; Sheridan Davis <sdavis@townofalta.com>; canctil@townofalta.com; jbyrne@townofalta.com

Cc: Mike Morey <mmorey@townofalta.com>; Chris Cawley <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
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rustlerlodge.com



From: Nancy Searle
Sent: Monday, August 8, 2022 9:48 AM
To: Jen Clancy <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

To The Town Council:

As a long time LCC resident/business owner, I've seen the progressive creep of noise in the canyon from a background annoyance to the point where now it disrupts the health of its inhabitants, human and otherwise. There's high decibel noise most summer days once the snow melts. On Saturdays during peak wedding and construction season, there is loud noise blaring often more than 16 hours straight. This requires windows to be kept closed and causes residents to physically leave town to find quiet. Forget the cool mountain air that most of us are here for. Most of Powder Ridge (where I live) is within 150 to 500ft of the Peruvian Lodge. Despite what others say, who live further away and not in the direct sound-shed (i.e. speakers aimed toward us), on wedding nights - THE MUSIC IS REALLY LOUD.

With a short, warm weather season, I've come to expect nonstop summer construction in Alta. That does not mean - however - that there should not be periods of healthful quiet and peace especially in the evening. No other municipality in the Wasatch has a noise curfew that permits disruptive noise beyond 10:00pm. Not Snowbird, aka unincorporated Salt Lake. Not Sandy. Not Cottonwood Heights. Not even Park City. The Town of Alta, for some reason, has had 11:00 pm as its noise curfew though even that may be unenforceable with existing verbiage.

With a level playing field where 10:00pm is the standard quiet time - Alta always wins. No other town along the Wasatch can hold a candle to Alta's beauty and remote mountainous location. I don't buy the argument that hotel wedding business would suffer with this change. Move the party indoors after 10:00pm. At some point the rights of businesses can't always supersede those who live here.

Also, I support limiting construction helicopters from flying before 10:00am on Sundays. By any community standard, Sunday holds a special place in the week. That has been forgotten recently in the name of business expediency. Everyone appreciates the paramount importance of Snow Safety. Those who question any aspect of the RAC program are viewed as somehow not supporting the public good. Spare me this, please.

Thank you for working on this issue.
Kenneth Libre

The Town of Alta is loud and noisy all day long. Construction, helicopters and increase in auto and motorcycle traffic make for really LOUD noise from 7Am until .. into the night. It seems Harley motorcycles with no mufflers like the 9PM -10:00PM time slot.

We are not "the city." We are a mountain community. We welcome guests to celebrate their lives. If you extend the noise ordinance to 11:00pm, you invite more partying into the night. By "partying" I mean noise. Ten o'clock is a reasonable time to reel in any celebration. At the very least, move the party inside, but that is not likely to happen. We as residents, especially those of us who live within Close proximity to these lodges NEVER get a break from the noise in the summer!!

I do not think that the lodges concerned with this matter will suffer any lack of business if the guests are required to comply with a 10:00 PM outside noise curfew.

Oh... and how about our WildLife? Or do we really care any more about the original residents....?
Thank you for your time, Your Service and your consideration in this very important matter.

Julie Willis
15 year resident/35 year worker\35 year volunteer
Town of Alta