CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Approval of Extended Sound Permit
Tonic Bar West Glen, Outdoor Concert

DATE: September 21, 2015

FINANCIAL IMPACT: None

BACKGROUND:

On June 28, 2010, the City Council approved several amendments to the Noise Control Ordinance including the provision that City Council approval is required for any sound permit issued for an event going past 10:00 P.M.

Tonic Bar West Glen, located at 5535 Mills Civic Parkway, has submitted a sound permit application for an outdoor concert scheduled from 8:00 p.m. to 11:00 p.m. on Saturday, September 26th.

This sound permit request was forwarded to the West Des Moines Police Department for their review and they have no objections to this request. As the event is being proposed to end at 11:00 p.m., City staff is forwarding this to the City Council for review and approval.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion - Approval of Extended Sound Permit Request made by Tonic Bar West Glen

Lead Staff Member: Ryan T. Jacobson, City Clerk RTJ

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	RTJ

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	

SOUND PERMIT FEES
- *1-48 hrs event = $22.00*
- *2-7 days event = $44.00*
- *Multiple events in one calendar year = $82.50*

The City Council MUST approve any sound permit request that extends past ten o'clock (10:00) P.M.

Permit applications received less than two (2) weeks before the event may not be processed by the City in time for the event.

CITY OF WEST DES MOINES
SOUND PERMIT ***Denotes required field**
For the Amplification of a Live Performance

Date 8-27-2015 Fee Received: _____ Permit No. _____

*Applicant's Name: Tonic Bar West Glen *Phone No. 515-225-6755

*Applicant's Complete Address: 5535 Mills Civic Pkwy, WDM, IA 50266

*Applicant's E-mail Address: amendenhall@rileydrive.com

Have you, the applicant, ever been cited for a violation of the West Des Moines Noise Ordinance? Y/(N)

If yes, explain: _____

*Property owner name: West Glen Town Center

*Property owner address: 5465 Mills Civic Pkwy, WDM, IA 50266

I, the undersigned, hereby acknowledge and certify that I am the record fee title holder of the property for which this sound permit is requested, and I hereby consent to this application for a sound permit, for the amplification of a live performance, as described on this application.

*Signature [signature] Date 8/28/15
agent for Mills Westfield Holdings, LP

Address of proposed activity: 5535 Mills Civic Pkwy, WDM, IA 50266
(if this is a City park, please indicate name of park)

Describe proposed activity, including time(s), date(s), and number of people (spots) attending:
setting up a tent in the parking lot just north of the north exit of door of Tonic. Underneath the tent, we will have 2-3 musicians playing with amplified sound. The tent will be erected late am on Sat. Sept. 26. The music will be performed from 8pm - 11pm. We still will have liquor service up until 2am and will have extra staff + security for it.

How will the parking for this event be handled? in surrounding parking lots of West Glen Town Center

Please refer to Page 2, Paragraph J of this application form regarding wattage requirements for the proposed sound equipment as a sound permit may not be deemed necessary.

***Attach an 8½" x 11½" sketch plan of the proposed layout of the sound amplification equipment, including the orientation to and approximate distances from the adjoining properties.**

Have the adjoining property owners/residents been notified of the event for which this permit is requested? Y/(N)

If so, please list addresses notified (attach additional sheets if necessary): _____
being handled by us and West Glen Town Center property management

Describe what measures will be taken, if any, to minimize the effects of this performance on surrounding property owners. all amps and monitors will be set at the lowest setting - if the sound becomes an issue for anyone we will ask musicians to go all acoustic

Provide any additional information that pertains to this application for a Sound Permit.

_____

_____

APPLICANT'S CERTIFICATION - I hereby certify under penalty of perjury that the statements furnished including the drawing, present all information required for this application, and that the facts, statements and information presented are true and correct, and based upon my personal knowledge. I hereby acknowledge my obligation to comply with the West Des Moines Municipal Code as it pertains to this activity and to obtain any and all necessary City, County, State and Federal permits, approvals and/or clearances, if applicable. Further, I hereby certify that I have read, understand and have received a copy of the conditions for the operation of the Sound Permit, and hereby agree to comply with such conditions. I also understand that should I fail to comply with the agreed upon conditions, my permit may be immediately revoked and that all other applicable penalties, including criminal prosecution may be pursued.

Chris Mendenhall 8-27-15

*Applicant's Signature Date

FOR STAFF USE ONLY

APPROVAL OF SOUND PERMIT

Approved by:_____ Date:

City Council Approval Date:

This sound permit is approved subject to the following exhibits and conditions.

Exhibits:

Conditions:

Expiration Date:

DENIAL OF SOUND PERMIT

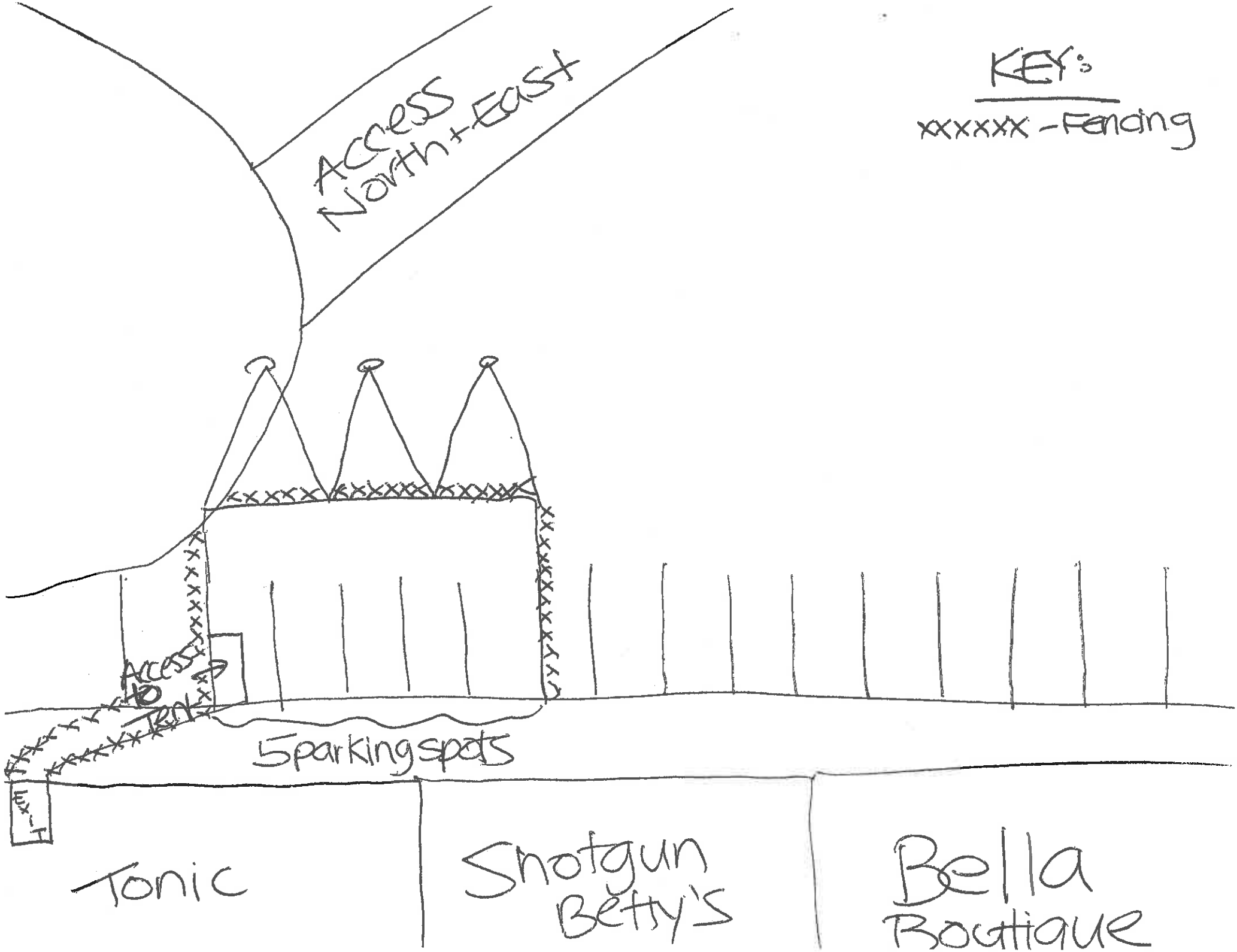
Denied by:_____ Date:

This sound permit is denied based upon the following findings.

Findings:

Copies of this permit have been distributed to the following departments:

- ☐ Development Services Department
- ☐ City Clerk's Office
- ☐ Police Department
- ☐ Parks and Recreation Department


KEY:
xxxxxx - Fencing
Access North + East
Access to Tonic
5 parking spots
Tonic
Shotgun Betty's
Bella Boutique