CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Approval of Extended Sound Permit
Sully's Irish Pub - St. Patrick's Day Celebration

DATE: February 19, 2019

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.

Sully's Irish Pub has submitted a sound permit application to provide music from 6:00 a.m. to midnight by way of a live radio feed on Saturday, March 17, 2018, on their property located at 860 1st Street.

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 this request is being proposed to end at midnight, City staff is forwarding this to the City Council for review and approval. Sully's Irish Pub had obtained sound permits for many years with no issues being reported.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion - Approval of Extended Sound Permit Request made by Sully's Irish Pub

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***

CK#3577

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
For the Amplification of a Live Performance

***Denotes required field**

Date 12/18/18 Fee Received: _____ Permit No. _____

*Applicant's Name: Sully's Irish Pub *Phone No. 515-250-3648

*Applicant's Complete Address: 860 1st Street, West Des Moines, Iowa 50265
*Applicant's E-mail Address: amy.boggs@hotmail.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: First Street LP

*Property owner address: 3209 Ingersoll Ave Ste 201 Des Moines, IA 50312

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.

_____ 1/9/19
*Signature Date

Address of proposed activity: 860 1st Street, West Des Moines ***(If this is a City park, please indicate name of park)***

Describe proposed activity, including time(s), date(s), and number of people attending: Traditional St Patrick's Day party from 6am to midnight. Same format as prior years. Approximately 500 in attendance.

How will the parking for this event be handled? Surrounding areas. Because this is on a Sunday, several nearby businesses will be closed (Fareway, West Bank). There will also be a bus that travels between Sully's, Mickey Finn's and The Hall, with additional parking available at those alternate locations. Many people Uber, Lyft, taxi or get dropped off at the event, to avoid parking. There are also some empty lots surrounding us - between Autozone and Dollar Tree, empty building in SW corner of the PUD, old Sully's location, old Abelardo's location, old Donut King location. Lastly, security will be onsite to prohibit parking in the areas right in front of True Value, Autozone and Dollar Tree, as to not disrupt those businesses.
****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): True Value, West Bank, Abelardo's, Dollar Tree, Autozone are all aware of our annual party

Describe what measures will be taken, if any, to minimize the effects of this performance on surrounding property owners Sully's has always worked with its neighbors on this event. Sound amplification remains in the tent. Any issues that arise the day of the event are resolved promptly and in the spirit of being as flexible as possible.

Provide any additional information that pertains to this application for a Sound Permit. This party has been put on for over 20 years without any issues. It is a Sully's tradition. Surrounding businesses benefit from additional sales during this day.

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.

_____ 12/18/18

*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

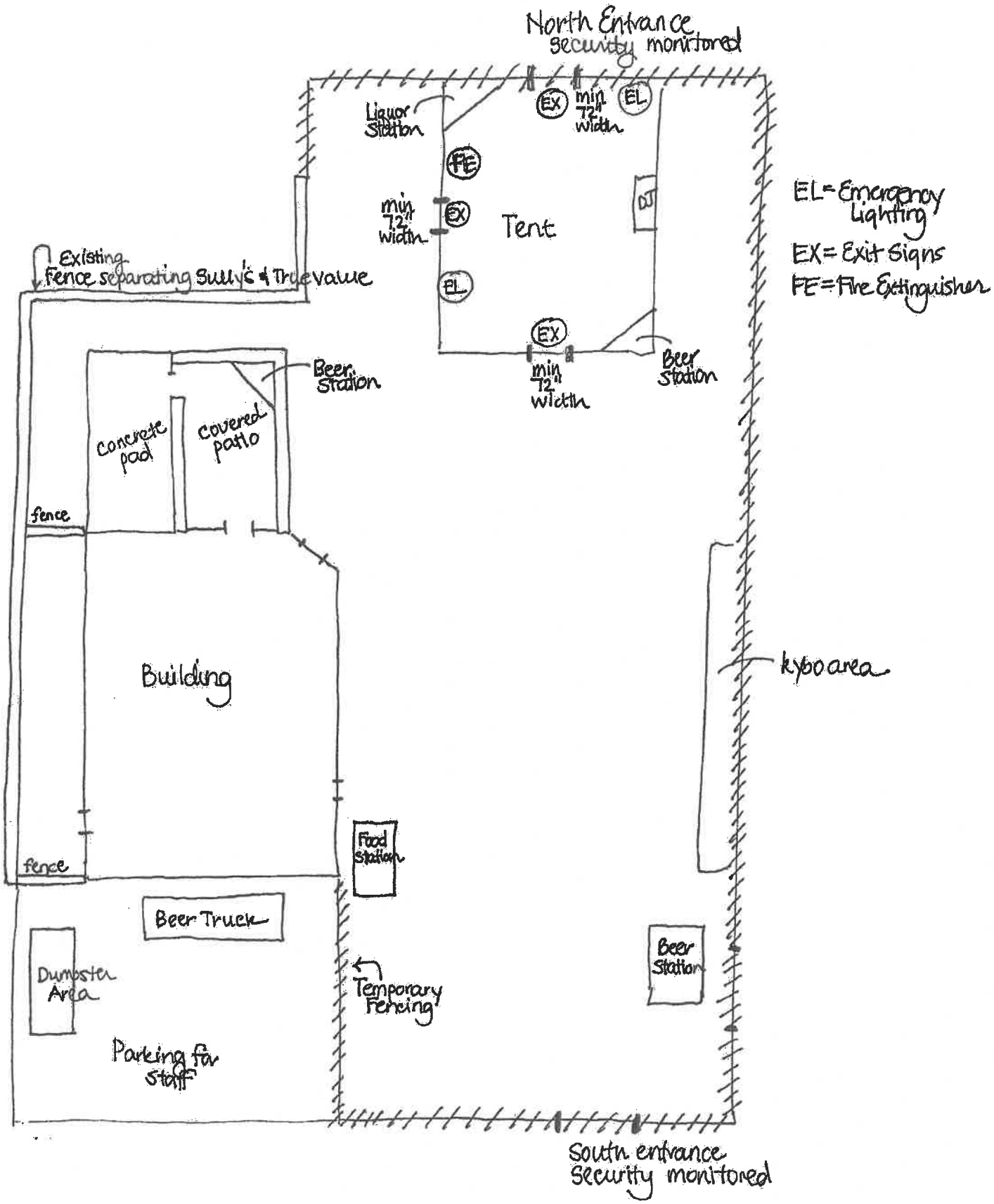
Denied by:_____ Date:

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

860 1st Street

↑ NORTH