



## CITY COUNCIL ACTION FORM

DEPARTMENT	PRESENTED BY	DATE
Administration	Drew Nelson - City Administrator	April 5, 2022

### **ITEM**

Amplified Noise Permit – Tres Litros Beer Company – Public Hearing

### **BACKGROUND**

Per City Council direction, certain amplified Noise Permits are subject to public hearings as they relate to dates, hours of operation, and decibel levels. The City has received an application from Tres Litros Beer Company, located at 118 North E Street, to host amplified events on the following dates/times:

- April 9, 2022, between the hours of 7:00 p.m. and 10:00 p.m.
- April 10, 2022, between the hours of 4:00 p.m. and 7:00 p.m.
- April 18, 2022, between the hours of 7:00 p.m. and 10:00 p.m.
- April 22, 2022, between the hours of 7:00 p.m. and 10:00 p.m.
- April 30, 2022, between the hours of 7:00 p.m. and 10:00 p.m.

Amplified Noise Permits are allowed to be approved administratively by the City Administrator between the dates of May 1 and November 1 annually; as the proposed dates are outside of that window, a public hearing shall be held to receive feedback from the public.

Public notice was posted on the property, on the City's website, and at the public notice posting area at the Toubert Building (see attached). The permit applications are also attached for review.

### **FISCAL NOTE**

None.

### **STAFF RECOMMENDATION**

Staff recommends approval of the amplified Noise Permit for Tres Litros Beer Company for events to be held on April 9<sup>th</sup>, 18<sup>th</sup>, 22<sup>nd</sup>, and 30<sup>th</sup> between the hours of 7:00 p.m. and 10:00 p.m., and on April 10<sup>th</sup>, 2022, between the hours of 4:00 p.m. and 7:00 p.m.

### **SUGGESTED MOTION**

Following a public hearing, a City Councilmember should state, "I move to approve an amplified Noise Permit for Tres Litros Beer Company, located at 118 North E Street, for events to be held on April 9<sup>th</sup>, 18<sup>th</sup>, 22<sup>nd</sup>, and 30<sup>th</sup> between the hours of 7:00 p.m. and 10:00 p.m., and on April 10<sup>th</sup>, 2022, between the hours of 4:00 p.m. and 7:00 p.m.", followed by a second and a roll call vote.



## CITY OF SALIDA

### NOISE PERMIT APPLICATION

Please fill out the form completely, including by signing and dating the application. Submitting an incomplete application is a basis for denial of a noise permit. Listing a particular type of audio amplification equipment, hours of operation, or any other information below does not guarantee the applicant's right to use such equipment or have an event at a particular time. Whether such application requests have been granted will be indicated in the issued permit.

Applicants may apply for events which are recurring (*i.e.*, live music every Thursday). Any such events should be clearly described as recurring in the event description and should identify all dates on which the event will occur.

Completed applications can be submitted in-person to the City Clerk at 448 E. First Street, Suite 112, or via email to [clerk@cityofsalida.com](mailto:clerk@cityofsalida.com). Applications must be submitted at least five (5) working days prior to the date for which the permit is sought.

#### I. Applicant Information.

Applicant Name:	Jason Maxwell
Applicant Business/Organization:	Tres Litros Beer Co
Applicant Phone:	303-596-9138
Applicant Email:	jmaxwell@treslitrosbeer.co
Applicant Address:	118 N. E St Salida, CO 81201
Sound Supervisor <sup>1</sup> :	Jason Maxwell
Sound Supervisor Phone:	303-596-9138

#### II. Event Information.

Description of Event:	Live Music
Estimated Attendance:	65-75 persons
Date(s):	4/9/22
Hours of Event:	7-10pm
Location of Event:	118 N. E St Salida, CO 81201 Weather dependent, we may have our doors open during this show.

<sup>1</sup> The sound supervisor will be responsible for responding to and immediately addressing noise or other complaints in the absence of the applicant/permittee.





### III. Noise Information.

Type of Noise (e.g., live music, parade):

Live Music

Type of Sound Amplification Equipment:

PA Sound System

### IV. Agreement.

As the applicant for this noise permit, I, Jason Maxwell, hereby agree and understand that it is my responsibility to ensure compliance with the conditions and limitations set forth in the permit and all laws, rules, and regulations of the City of Salida, the state, and the federal government. I further agree and understand that any violations of the permit or applicable laws may result in the immediate revocation of the permit. Violations of the conditions and limitations set forth in the permit or applicable laws shall also be grounds for denial of future permit applications. I further understand and agree that the permit and application fee are non-refundable and non-transferrable.

Signature:

Jason C. Maxwell

Date:

3-29-22

### For use by the City Clerk only:

Application fee received: ☐ Yes ☐ No ☐ N/A

Signature:

Date:





**CITY OF SALIDA  
NOISE PERMIT**

Signature by the City Administrator on this noise permit indicates that the noise permit has been deemed granted to the applicant and the requested noise has been so authorized, subject to the conditions and limitations set forth below. Where the conditions or limitations set forth below contradict or conflict with the information contained in the application, the conditions and limitations will control.

**I. Conditions and Limitations Applicable to All Permits.**

The following conditions and limitations are applicable to all noise permits:

- No noise is permitted after 10:00 PM, unless specifically authorized by the City Council following a public hearing. No noise is permitted after midnight on the Fridays and Saturdays of Memorial Day weekend, 4<sup>th</sup> of July weekend, and Labor Day weekend. No noise is permitted after midnight on the Thursday, Friday, and Saturday during the FIBArk festival.
- No noise is authorized in excess of the maximum limit of 85 dB(A), as measured from any point along the property line or within the property line of the receiving premises. Measuring devices shall be those specifically utilized by the City of Salida.
- All amplification equipment shall be arranged so as to minimize the disturbance to neighboring properties, and permittees shall take reasonable measures to baffle or reduce noise impacts to neighbors.
- No outdoor amplified sound shall be permitted between November 1 through May 1.
- A maximum of sixty (60) amplified sound permits may be granted to same location during a single calendar year, unless additional permits are specifically authorized by the City Council following a public hearing.

**II. Conditions and Limitations Applicable to this Permit.**

The following conditions and limitations are applicable to this noise permit:

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**III. Expiration.**

This noise permit is issued for the following dates and expires on the following date:

Date(s): \_\_\_\_\_

Expiration: \_\_\_\_\_

**For use by the City Administrator only:**

Application granted: [ ] Yes [ ] No

Signature: \_\_\_\_\_

Date: \_\_\_\_\_





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Applicant Business/Organization: Tres Litros Beer Co

Applicant Phone: 303-596-9138

Applicant Email: jmaxwell@treslitrosbeer.co

Applicant Address: 118 N. E St  
Salida, CO 81201

Sound Supervisor<sup>1</sup>: Jason Maxwell

Sound Supervisor Phone: 303-596-9138

#### II. Event Information.

Description of Event: Live Music

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Estimated Attendance: 65-75 persons

Date(s): 4/10/22

Hours of Event: 4-7pm

Location of Event: 118 N. E St Salida, CO 81201  
Weather dependent, we may have our doors open during this show.

<sup>1</sup> The sound supervisor will be responsible for responding to and immediately addressing noise or other complaints in the absence of the applicant/permittee.





### III. Noise Information.

Type of Noise (e.g., live music, parade):

Live Music

Type of Sound Amplification Equipment:

PA Sound System

### IV. Agreement.

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Signature:

Jason C. Maxwell

Date:

3-29-22

### For use by the City Clerk only:

Application fee received: ☐ Yes ☐ No ☐ N/A

Signature:

Date:





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**For use by the City Administrator only:**

Application granted: [ ] Yes [ ] No

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Applicant Business/Organization: Tres Litros Beer Co

Applicant Phone: 303-596-9138

Applicant Email: jmaxwell@treslitrosbeer.co

Applicant Address: 118 N. E St  
Salida, CO 81201

Sound Supervisor<sup>1</sup>: Jason Maxwell

Sound Supervisor Phone: 303-596-9138

#### II. Event Information.

Description of Event: Live Music

Estimated Attendance: 65-75 Persons

Date(s): 4/18/22

Hours of Event: 7-10pm

Location of Event: 118 N. E St Salida, CO 81201  
Weather dependent, we may have our doors open during this show.

<sup>1</sup> The sound supervisor will be responsible for responding to and immediately addressing noise or other complaints in the absence of the applicant/permittee.





### III. Noise Information.

Type of Noise (e.g., live music, parade):

Live Music

Type of Sound Amplification Equipment:

PA Sound System

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Signature:

Jason C. Maxwell

Date:

3-31-22

### For use by the City Clerk only:

Application fee received: ☐ Yes ☐ No ☐ N/A

Signature:

Date:





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Application granted: [ ] Yes [ ] No

Signature: \_\_\_\_\_

Date: \_\_\_\_\_





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Sound Supervisor<sup>1</sup>: Jason Maxwell

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Description of Event: Live Music

Estimated Attendance: 65-75 Persons

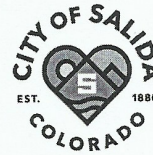
Date(s): 4/22/22

Hours of Event: 7-10pm

Location of Event: 118 N. E St Salida, CO 81201  
Weather dependent, we may have our doors open during this show.

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Signature:

Jason C. Maxwell

Date:

3-31-22

### For use by the City Clerk only:

Application fee received: ☐ Yes ☐ No ☐ N/A

Signature:

Date:





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Applicant Business/Organization: Tres Litros Beer Co

Applicant Phone: 303-596-9138

Applicant Email: jmaxwell@treslitrosbeer.co

Applicant Address: 118 N. E St  
Salida, CO 81201

Sound Supervisor<sup>1</sup>: Jason Maxwell

Sound Supervisor Phone: 303-596-9138

#### II. Event Information.

Description of Event: Live Music

Estimated Attendance: 65-75 Persons

Date(s): 4/30/22

Hours of Event: 7-10pm

Location of Event: 118 N. E St Salida, CO 81201  
Weather dependent, we may have our doors open during this show.

<sup>1</sup> The sound supervisor will be responsible for responding to and immediately addressing noise or other complaints in the absence of the applicant/permittee.





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Type of Noise (e.g., live music, parade):

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Type of Sound Amplification Equipment:

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Date:

3-31-22

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Signature:

Date:





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Date(s): \_\_\_\_\_

Expiration: \_\_\_\_\_

### For use by the City Administrator only:

Application granted: [ ] Yes [ ] No

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## **NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL FOR THE CITY OF SALIDA CONCERNING A NOISE PERMIT APPLICATION**

**TO ALL MEMBERS OF THE PUBLIC AND INTERESTED PERSONS PLEASE TAKE NOTICE:** that on April 5, 2022 at or about the hour of 6:00 p.m. a public hearing will be conducted by the City of Salida City Council at City Council Chambers, 448 East First Street, Suite 190, Salida, Colorado and online at the following link: <https://attendee.gotowebinar.com/register/6382995264411204366>. The hearing concerns a Noise Permit Application filed by Jason Maxwell for events to be held at Tres Litros Beer Company, located at 118 North E Street in Salida, Colorado.

The applicant is requesting to provide amplified sound outdoors for events on the following dates:

- April 9, 2022, between the hours of 7:00 p.m. and 10:00 p.m.,
- April 10, 2022, between the hours of 4:00 p.m. and 7:00 p.m.,
- April 18, 2022, between the hours of 7:00 p.m. and 10:00 p.m.,
- April 22, 2022, between the hours of 7:00 p.m. and 10:00 p.m., and
- April 30, 2022, between the hours of 7:00 p.m. and 10:00 p.m.,

the dates of which are outside of the months in which amplified sound is typically permitted.

Interested persons are encouraged to attend the public hearings. Further information on the application may be obtained from the City Administrator, (719) 539-4555.

\*Please note that it is inappropriate to personally contact individual City Councilors or Planning Commissioners, outside of the public hearing, while an application is pending. Such contact is considered ex parte communication and will have to be disclosed as part of the public hearings on the matter. If you have any questions/comments, you should email or write a letter to staff, or present your concerns at the public meeting via the above GoToWebinar link so your comments can be made part of the record.