

From: [James McFadden](#)
To: [licensing](#)
Cc: [Zellers, Ledell](#); [Verveer, Michael](#)
Subject: The Edgewater Hotel
Date: Sunday, August 13, 2017 1:25:46 AM

Members of the Alcohol License and Review Committee

The Edgewater management operates on the contention that its Public Access Management Agreement with the City exempts it from the requirements of Chapter 24 - Offenses Against Peace and Quiet but a reading of the agreement indicates otherwise.

Edgewater PAMA 3(b)(ii) Noise regarding the Project will be subject to, among other laws and regulations, Chapter 24 of the Madison General Ordinances and more specifically Section 24.08 thereof;

The Edgewater is subject to MGO Chapter 24

MGO 24.04 (2) No person, firm or corporation occupying or having charge of any building or premises, or any part thereof, shall cause, suffer or allow any loud, excessive or unusual noise in the operation or use of any radio, phonograph or other mechanical or electrical device, instrument or machine, which loud, excessive or unusual noise tends to unreasonably disturb the comfort, quiet or repose of persons therein or in the vicinity.

The Edgewater cannot unreasonably disturb the comfort, quiet or repose of persons therein or in the vicinity.

MGO 24.08 (3) This ordinance shall not in any way affect Sections 24.04, 24.05 or any other similar ordinances

MGO 24.08 does not affect MGO 24.04 and leaves its requirements in place

What is loud and excessive? The EPA recommends a maximum indoor noise level of 45 decibels and an outdoor level of 55 decibels to allow for intelligible conversation. Accordingly cities including Albuquerque, Austin, Boulder, Chicago, Columbus, Dallas, Denver, Fort Collins, Green Bay, Kenosha, Los Angeles, Miami, Milwaukee, New York, Omaha, Sacramento and Washington DC have set a maximum allowable evening decibel levels of no more than 55 in residential areas.

The noise generated from an evening musical event at the Edgewater inside our living room on the fifth floor of the Kennedy Manor has been measured at a sustained level of 80 decibels with a peak of 86. This is 35-40 decibels and as sound is measured on a logarithmic scale three and a half to four times the volume of EPA's recommended maximum level and renders having a conversation (50-60 decibels) in our own home impossible.

I support the renewal of a liquor license Edgewater Hotel as needed to operate its restaurants, bars, banquet facilities as well as the serving of alcohol on the Terrace for events such as weddings that are attended in significant numbers by Hotel's guests. These outdoor events would be allowed on the condition that the noise generated would not exceed 55 decibels as measured on Langdon Street.

Given the Hotel management's continuing contemptuous disregard to the "comfort, quiet or repose of persons in the vicinity" that any license granted exclude the serving of alcohol at any and all public events on the terrace.

Sincerely

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