



Legislation Details (With Text)

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Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 3/2/2022

Title: Approving the application of the Patrick McGovern's Pub for a sound level variance in order to present amplified sound on Saturday, March 12, 2022, and Thursday, March 17, 2022, at 225 7th St W.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

Attachments: 1. Application, 2. ENS, 3. Map, 4. Owners list, 5. Notice to Owners, 6. Letter to Applicant

Date	Ver.	Action By	Action	Result
3/3/2022	1	Mayor's Office	Signed	
3/2/2022	1	City Council	Adopted	Pass

Approving the application of the Patrick McGovern's Pub for a sound level variance in order to present amplified sound on Saturday, March 12, 2022, and Thursday, March 17, 2022, at 225 7th St W.

WHEREAS, Chapter 293 of the Saint Paul Legislative Code was enacted to regulate the subject of noise in the City of Saint Paul; and

WHEREAS, §293.09 provides for the granting of variances from the sound level limitations contained in §293.07, upon a finding by the City Council that full compliance with Chapter 293 would constitute an unreasonable hardship on the applicant, other persons or on the community; and

WHEREAS, Patrick McGovern's Pub, represented by Eric Wold, General Manager, who has been designated as the responsible person on the application, has applied for a variance, for a sound level limit of 100 dBA at no specified distance, to present amplified sound for a Lucky Palooza & St. Patrick's Day events on March 12, 2022 and March 17, 2022, outside of 225 7th St W - Patrick McGovern's Pub in a fully enclosed tent; and

WHEREAS, applicant has requested a variance for the hours from 2:00 p.m. to 12:00 a.m. on Saturday, March 12, 2022 and Thursday, March 17, 2022, for a Lucky Palooza & St. Patrick's Day events; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound outside of 225 7th St W - Patrick McGovern's Pub in a fully enclosed tent; and

WHEREAS, the Department of Safety and Inspections has reviewed the application and has made recommendations regarding conditions for the variance. Now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul hereby grants a variance to the Patrick McGovern's Pub, subject to the following conditions:

- 1) The Variance shall be for the hours from 2:00 p.m. to 11:59 p.m. on Saturday, March 12, 2022 for a Lucky Palooza event, and from 2:00 p.m. until 10:00 p.m. on Thursday, March 17, 2022, for a St. Patrick's Day event.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured at 50 feet from the sound sources outside of the fully enclosed tent from 2:00 p.m. until 10:59 p.m. and

shall not exceed 80 dBA as measured at 50 feet outside of the fully enclosed tent from 11:00 p.m. until 11:59 p.m. on Saturday, March 12, 2022; and further, shall not exceed 90 dBA as measured at 50 feet from the sound source outside of the fully enclosed tent from 2:00 p.m. until 10:00 p.m. on Thursday, March 17, 2022.

3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at each sound mix during the hours of the variance.

4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 11:59 p.m. on March 12, 2022, and no later than 10:00 p.m. March 17, 2022, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the March 12, 2022, and March 17, 2022, dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Patrick McGovern's Pub, represented by Eric Wold, General Manager, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound for Lucky Palooza & St. Patrick's Day on March 12, 2022 and March 17, 2022, with limitations, 2:00 p.m. to 12:00 a.m.. Chapter 293.09 provides for the granting of variances from the sound level limitations contained in Chapter 293.07.

Was proper notice given? YES - See Attachments