Legislation Details (With Text)

File #:	RES PH 12-182	**Version:** 1	
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	7/3/2012

Title: Approving the application of Jarret Oulman for a sound level variance in order to use a P. A. sound system and amplified music from 4:00 p.m. until 9:00 p.m. on June 22, July 6, 13, 20, 27, August 3, 10, 17, 24, & 31, 2012 at Ecolab Plaza on Wabasha between 5th & 6th Streets. (Public hearing continued from June 20)

Sponsors: Dave Thune

Indexes:

Code sections:

Attachments: 1. Amsterdam Bar SLV Application.pdf, 2. Amsterdam Bar ENS.pdf, 3. Amsterdam Bar Applicant Notification Letter.pdf, 4. Amsterdam Bar District Council 17 Notification Letter.pdf, 5. Amsterdam Bar Circle Map.pdf, 6. Amsterdam Bar Property Owner List.pdf, 7. Amsterdam Bar Property Owner Example.pdf

Date	Ver.	Action By	Action	Result
7/9/2012	1	Mayor's Office	Signed	
7/3/2012	1	City Council	Adopted	Pass
6/20/2012	1	City Council	Continue Public Hearing	Pass

Approving the application of Jarret Oulman for a sound level variance in order to use a P. A. sound system and amplified music from 4:00 p.m. until 9:00 p.m. on June 22, July 6, 13, 20, 27, August 3, 10, 17, 24, & 31, 2012 at Ecolab Plaza on Wabasha between 5th & 6th Streets.

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, Amsterdam Bar, represented by Jarret Oulman, Owner, who has been designated as the responsible person on the application, has applied for a variance to provide use of P. A. amplified sound at the Ecolab Plaza; and

WHEREAS, applicant is seeking a variance for the hours of 4:00 p.m. until 9:00 p.m. on June 22, July 6, 13, 20, 27, August 3, 10, 17, 24, & 31, 2012 at Ecolab Plaza on Wabasha between 5th & 6th Streets; and

WHEREAS, if applicant is not granted a variance it will not be able to provide the use of P. A. sound system and amplified music at the Ecolab Plaza; 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 Jarret Oulman, subject to the following conditions:

1) The variance shall be for the hours of 4:00 p.m. until 9:00 p.m. on June 22, July 6, 13, 20, 27, August 3, 10, 17, 24, & 31, 2012 at Ecolab Plaza on Wabasha between 5th & 6th Streets.

2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured at 50 feet from the sound source.

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 9:00 p.m. on the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on any of the dates may result in revocation of the grant of a noise variance for the subsequent date(s), in addition to any criminal citation which might issue.

Amsterdam Bar, represented by Jarret Oulman, Owner, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide the use of an amplified P. A. system, with limitations, from 4:00 p.m. until 9:00 p.m. on June 22, July 6, 13, 20, 27, August 3, 10, 17, 24, & 31, 2012 at Ecolab Plaza on Wabasha between 5th & 6th Streets. 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