



Legislation Details (With Text)

File #: RES PH 19-195 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed

In control: City Council

Final action: 7/10/2019

Title: Approving the application of Herbivorous Butcher - Reverie for a sound level variance to present amplified music on Sunday, July 14, 2019 during the All Vegan: Food Festival and Drink Dabbler at 550 Vandalia St. #160.

Sponsors: Mitra Jalali

Indexes: Ward - 4

Code sections:

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

Date	Ver.	Action By	Action	Result
7/16/2019	1	Mayor's Office	Signed	
7/10/2019	1	City Council	Adopted	Pass

Approving the application of Herbivorous Butcher - Reverie for a sound level variance to present amplified music on Sunday, July 14, 2019 during the All Vegan: Food Festival and Drink Dabbler at 550 Vandalia St. #160.

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, Herbivorous Butcher - Reverie, represented by Erinn Mueller, Shop Manager, who has been designated as the responsible person on the application, has applied for a variance to present music, at no specified sound level limit, or distance, at 550 Vandalia St. #160; and

WHEREAS, applicant is seeking a variance for the hours of 12:00 p.m. to 5:00 p.m. on Sunday, July 14, 2019; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present music at 550 Vandalia St. #160; 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 Herbivorous Butcher - Reverie, subject to the following conditions:

1) The Variance shall be for the hours of 12:00 p.m. to 5:00 p.m. on Sunday, July 14, 2019.

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

3) The applicant will provide personnel and equipment to provide continuous sound level monitoring to ensure compliance with the sound level limit stated in condition number two (2).

4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 5:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the July 14, 2019 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Herbivorous Butcher - Reverie, represented by Erinn Mueller, Shop Manager, has requested an exemption from the sound level limitations in Chapter 293.07 to present music, with limitations, from 12:00 p.m. until 5:00 p.m., on Sunday, July 14, 2019 during an event at 550 Vandalia St. #160. 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