



Legislation Details (With Text)

**File #:** RES PH 15- 225      **Version:** 1

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

**In control:** City Council

**Final action:** 8/5/2015

**Title:** Approving the application of Groundswell Grounds and Sounds Event for a sound level variance in order to present live bands at 1340 - 1342 Thomas Avenue on Saturday, August 15, 2015 from 12:00 p.m. to 10:00 p.m.

**Sponsors:** Russ Stark

**Indexes:** Ward - 4

**Code sections:**

**Attachments:** 1. Application, 2. Map, 3. Copy of ENS, 4. Notice to District Council, 5. Notice to Property Owners, 6. List of Property Owners, 7. Letter to Applicant

Date	Ver.	Action By	Action	Result
8/7/2015	1	Mayor's Office	Signed	
8/5/2015	1	City Council	Adopted	Pass

Approving the application of Groundswell Grounds and Sounds Event for a sound level variance in order to present live bands at 1340 - 1342 Thomas Avenue on Saturday, August 15, 2015 from 12:00 p.m. to 10:00 p.m.

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, Groundswell, and represented by Megan Greulich, General Manager and Andrew Thoreen, Event Organizer, who have been designated as the responsible persons on the application, have applied for a variance to present live bands with speakers at 1340 - 1342 Thomas Avenue on Saturday, August 15, 2015; and

WHEREAS, if applicants are not granted a variance applicants will not be able to present live bands with speakers at the 1340 - 1342 Thomas Avenue site; 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 sound level variance to Megan Greulich and Andrew Thoreen, subject to the following conditions:

- 1) The variance will be for the Groundswell Grounds and Sounds Event in order to present live bands at 1340 - 1342 Thomas Avenue Back Patio Area on August 15, 2015 from 12:00 p.m. to 10:00 p.m., with a pre-event sound check at 10:30 a.m.

- 2) All electronically powered equipment, PA system, loudspeaker or any similar device used in conjunction with the event, will not exceed 85 dBA, as measured 50 feet from any stage or sound source used for music and/or announcements between the hours of 12:00 p.m. and 10:00 p.m., with a pre-event sound check at 10:30 a.m.
- 3) The applicant shall provide personnel and equipment to ensure compliance with the variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices will be turned off by 10:00 p.m. on August 15, 2015.

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 variance for the subsequent date(s), in addition to any criminal citation which might issue.

The Groundswell Grounds and Sounds Event, represented by Megan Greulich and Andrew Thoreen, have requested an exemption from the sound level limitations in Chapter 293.07 in order to present live bands with speakers on August 15, 2015 at 1340 - 1342 Thomas Avenue from 12:00 p.m. to 10:00 p.m., with a pre-event sound check at 10:30 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