



Legislation Details (With Text)

File #: RES PH 23- 234 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 8/23/2023

Title: Approving the application of University of St. Thomas, Margaret Cahill, Campus Life for a sound level variance in order to present amplified sound on August 31, 2023 at 2115 Summit Avenue - O'Shaughnessy Stadium.

Sponsors: Mitra Jalali

Indexes: Ward - 4

Code sections:

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

Date	Ver.	Action By	Action	Result
8/24/2023	1	Mayor's Office	Signed	
8/23/2023	1	City Council	Adopted	Pass

Approving the application of University of St. Thomas, Margaret Cahill, Campus Life for a sound level variance in order to present amplified sound on August 31, 2023 at 2115 Summit Avenue - O'Shaughnessy Stadium. 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, University of St. Thomas, Margaret Cahill, Campus Life, represented by Margaret Cahill, Director of Campus Life, who has been designated as the responsible person on the application, has applied for a variance, for a requested sound level limit of 92 dBA measured at 50 ft from the sound source, to present amplified sound at 2115 Summit Avenue, University of Saint Thomas, O'Shaughnessy Stadium; and

WHEREAS, applicant has requested a variance for the hours of 7:15 p.m. to 8:15 p.m. with a pre-event sound check from 5:00 p.m. to 7:00 p.m. on Thursday, August 31, 2023 for The Great Tommie Get-Together; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 2115 Summit Avenue, University of Saint Thomas, O'Shaughnessy Stadium; 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 University of St. Thomas, Margaret Cahill, Campus Life, subject to the following conditions:

1) The Variance shall be for the hours of 7:15 p.m. to 8:15 p.m. with a pre-event sound check from 5:00 p.m. to 7:00 p.m. on Thursday, August 31, 2023.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 91 dBA as measured at 50 feet from the sound source during the hours of 7:15 p.m. to 8:15 p.m., with the pre-event sound check from 5:00 p.m. to 7:00 p.m.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at each sound source during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 8:15 p.m. August 31, 2023, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the August 31, 2023 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

University of St. Thomas, Campus Life, represented by Margaret Cahill, Director of Campus Life, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 7:15 p.m. to 8:15 p.m. with a pre-event sound check from 5:00 p.m. to 7:00 p.m. on August 31, 2023. 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