



Legislation Details (With Text)

File #: RES PH 21- 190 **Version:** 1

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In control: City Council

Final action: 8/4/2021

Title: Approving the application of Ginger Porcella for a sound level variance in order to present live amplified sound on August 28, 2021 at 1008 Grotto Street North.

Sponsors: Amy Brendmoen

Indexes: Ward - 5

Code sections:

Attachments: 1. Application, 2. ENS, 3. Map, 4. Owners list, 5. Notice to Owners, 6. Letter to Applicant, 7. RES PH 21-190 - District 10 Como Community Council

Date	Ver.	Action By	Action	Result
8/6/2021	1	Mayor's Office	Signed	
8/4/2021	1	City Council	Adopted	Pass

Approving the application of Ginger Porcella for a sound level variance in order to present live amplified sound on August 28, 2021 at 1008 Grotto Street North.

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, Ginger Porcella, who has been designated as the responsible person on the application, has applied for a variance, for a requested sound level limit of 95 dBA at no specified distance, to present amplified sound at 1008 Grotto Street N; and

WHEREAS, applicant has requested a variance for the hours from 5:00 p.m. to 9:00 p.m. on August 28, 2021 for a Private Party; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 1008 Grotto Street N; 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 Ginger Porcella, subject to the following conditions:

- 1) The Variance shall be for the hours from 5:00 p.m. to 9:00 p.m. on Saturday, August 28, 2021.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as

measured at 50 feet from all sound sources.

- 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. August 28, 2021, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the August 28, 2021 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Ginger Porcella, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 5:00 p.m. to 9:00 pm on August 28, 2021. 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