



Legislation Details (With Text)

**File #:** RES PH 13- 194      **Version:** 1

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

**In control:** City Council

**Final action:** 8/21/2013

**Title:** Approving the application of Bedlam Theatre for a sound level variance in order to present amplified music (guitars, amps, drums, and vocals) from 6:30 p.m. until 10:00 p.m. on August 28, 2013 during a musical performance in conjunction with Bedlam Theatre's college internship program at the Union Depot at 214 Fourth Street East.

**Sponsors:** Dave Thune

**Indexes:** Ward - 2

**Code sections:**

**Attachments:** 1. Bedlam Theatre SLV Application.pdf, 2. Bedlam Theatre ENS.pdf, 3. Bedlam Theatre Applicant Notification.pdf, 4. Bedlam Theatre DC17 Notification.pdf, 5. Bedlam Theatre Map.pdf, 6. Bedlam Theatre Property Owner List.pdf, 7. Bedlam Theatre Example Letter.pdf

Date	Ver.	Action By	Action	Result
8/27/2013	1	Mayor's Office	Signed	
8/21/2013	1	City Council	Adopted	Pass

Approving the application of Bedlam Theatre for a sound level variance in order to present amplified music (guitars, amps, drums, and vocals) from 6:30 p.m. until 10:00 p.m. on August 28, 2013 during a musical performance in conjunction with Bedlam Theatre's college internship program at the Union Depot at 214 Fourth Street East.

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, Bedlam Theatre, represented by Lucas Koski, General Manager, who has been designated as the responsible person on the application, has applied for a variance to present amplified music (guitars, amps, drums, and vocals) at the Union Depot at 214 - 4<sup>th</sup> Street East; and

WHEREAS, applicant is seeking a variance for the hours of 6:30 p.m. to 10:00 p.m. on August 28, 2013 during a musical performance in conjunction with Bedlam Theatre's college internship program; and

WHEREAS, if applicant is not granted a variance it will not be able to present amplified music at Union Depot at 214 - 4<sup>th</sup> Street East; 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 Bedlam Theatre, subject to

the following conditions:

- 1) The variance shall be for the hours of 6:30 p.m. to 10:00 p.m. on August 28, 2013.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured at the sound mix or 50 feet from the sound source, whichever is closer.
- 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 10:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the August 28, 2013 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Bedlam Theatre, represented by Lucas Koski, General Manager, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music (guitars, amps, drums, and vocals), with limitations, from 6:30 p.m. until 10:00 p.m. on August 28, 2013 during a musical performance in conjunction with Bedlam Theatre's college internship program at Union Depot at 214 - 4<sup>th</sup> Street East. 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