



Legislation Details (With Text)

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In control: City Council

Final action: 6/21/2023

Title: Approving the application of DanceCo for a sound level variance in order to present amplified sound on July 8, 2023 at 2 Wabasha Street South - Raspberry Island.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

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

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------|---------|--------|
| 6/23/2023 | 1 | Mayor's Office | Signed | |
| 6/21/2023 | 1 | City Council | Adopted | Pass |

Approving the application of DanceCo for a sound level variance in order to present amplified sound on July 8, 2023 at 2 Wabasha Street South - Raspberry Island.

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, DanceCo, represented by Matthew Keefe, Director, who has been designated as the responsible person on the application, has applied for a variance, at a requested sound level limit of 90 dBA at no specified distance from the sound source at 2 Wabasha St S - Raspberry Island, to present amplified sound; and

WHEREAS, applicant has requested a variance for the hours of 10:00 a.m. to 1:00 p.m. with a pre-event sound check from 9:30 a.m. on Saturday, July 8, 2023 for the Dance Around Minnesota event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 2 Wabasha St S - Raspberry Island; 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 DanceCo for the Dance Around Minnesota event at 2 Wabasha St S - Raspberry Island, subject to the following conditions:

- 1) The Variance shall be for the hours of 10:00 a.m. to 1:00 p.m. with a pre-event sound check from 9:30 a.m. on Saturday, July 8, 2023.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 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 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 1:00 p.m. July 8, 2023, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the July 8, 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.

DanceCo, represented by Matthew Keefe, Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 10:00 a.m. to 1:00 p.m. with a pre-event sound check from 9:30 a.m. on July 8, 2023 at 2 Wabasha St S - Raspberry Island. 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