



Legislation Details (With Text)

**File #:** RES PH 22- 199      **Version:** 1

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

**In control:** City Council

**Final action:** 7/27/2022

**Title:** Approving the application of Lowertown Blues Festival for a sound level variance in order to present amplified sound on September 10, 2022 at 725 Raymond Avenue - Dual Citizen Brewing.

**Sponsors:** Mitra Jalali

**Indexes:** Ward - 4

**Code sections:**

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

Date	Ver.	Action By	Action	Result
7/28/2022	1	Mayor's Office	Signed	
7/27/2022	1	City Council	Adopted	Pass

Approving the application of Lowertown Blues Festival for a sound level variance in order to present amplified sound on September 10, 2022 at 725 Raymond Avenue - Dual Citizen Brewing.

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, Lowertown Blues Festival, represented by Steve Heckler, Director, who has been designated as the responsible person on the application, has applied for a variance, for 95 dBA at 100 ft, to present amplified sound for the Blocktoberfest outside of 725 Raymond Ave - Dual Citizen Brewing; and

WHEREAS, applicant has requested a variance for the hours of 1:00 p.m. to 10:00 p.m. with a pre-event sound check at 11:00 a.m. on September 10, 2022 for Blocktoberfest; and-

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 725 Raymond Ave - Dual Citizen Brewing; 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 Lowertown Blues Festival, subject to the following conditions:

- 1) The Variance shall be for the hours from of 1:00 p.m. to 10:00 p.m. with a pre-event sound check at 11:00 a.m. on Saturday, September 10, 2022 for Blocktoberfest.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 92 dBA 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 10:00 p.m. on September 10, 2022, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the September 10, 2022 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Lowertown Blues Festival, represented by Director, Steve Heckler, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 1:00 p.m. to 10:00 p.m. with a pre-event sound check at 11:00 a.m. on September 10, 2022. 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