



## Legislation Text

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**File #:** RES PH 13-43, **Version:** 2

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Approving the application of Lunda Construction for a sound level variance for construction work related to the demolition of the Lafayette Bridge, for 24 hours a day, Monday through Saturday only, from March 4, 2013 to April 19, 2013.

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, Lunda Construction, represented by Brent Wilber, Project Manager, who has been designated as the responsible person on the application, has applied for a variance for construction work related to the demolition of the Lafayette Bridge for 24 hours a day, Monday through Saturday only, from March 4, 2013 to April 19, 2013; and

WHEREAS, in order to meet required completion dates and to minimize disruption to businesses, the public and adjoining property owners, the applicant is seeking a variance from March 4, 2013 to April 19, 2013, Monday through Saturday only; and

WHEREAS, if applicant is not granted a variance, it will not be able to operate general construction/demolition equipment and domestic power tools to do the needed repair work on the Lafayette Bridge; and

WHEREAS, the Department of Safety and Inspections (DSI) 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 Lunda Construction, subject to the following conditions:

- 1) The variance shall be from March 4, 2013 to April 19, 2013, Monday through Saturday only.
- 2) Lunda Construction shall take all practical steps available to minimize the noise levels during this period which do not otherwise unduly hinder the project or unreasonably increase the costs of the project.
- 3) Lunda Construction will provide 48-hour notices to the City and neighbors prior to any sound event under this variance.

FURTHER RESOLVED, that any violations of the conditions set above may result in the cancellation of the variance for any remaining dates and in the denial of future requests for the grant of a sound level variance, in addition to any criminal citation which might issue.

Lunda Construction, represented by Brent Wilber, Project Manager, has requested an exemption from the sound level limitations in Chapter 293.07 for construction work related to the demolition of the Lafayette Bridge for 24 hours a day, Monday through Saturday only, from March 4, 2013 to April 19, 2013. 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

