



## Legislation Text

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**File #:** RES PH 12-269, **Version:** 1

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Approving the application of Steve Heckler for a sound level variance in order to present an outdoor event, with live music, on September 15, 2012 from 10:00 a.m. to 10:00 p.m. in Kellogg Mall Park on or near the Robert Street bridge, along Kellogg Boulevard 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, Steve Heckler, Event Coordinator, who has been designated as the responsible person on the application, has applied for a variance to present an outdoor event with music in Kellogg Mall Park on or near the Robert Street bridge, along Kellogg Boulevard East.; and

WHEREAS, applicant is seeking a variance for the hours of 10:00 a.m. to 10:00 p.m. on September 15, 2012; and

WHEREAS, if applicant is not granted a variance it will not be able to present an event and live music in Kellogg Mall Park on or near the Robert Street bridge, along Kellogg Boulevard 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 Steve Heckler, subject to the following conditions:

- 1) The variance shall be for the hours of 10:00 a.m. to 10:00 p.m. on September 15, 2012.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 102 dBA at sound mix from 10:00 a.m. to 10:00 p.m.
- 3) The applicant shall provide the personnel and equipment needed to provide continuous sound level monitoring at the sound mix during the hours of the variance to ensure that the sound levels in condition 2 are not exceeded.
- 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 first date may result in revocation of the grant of a variance for the subsequent date, in addition to any criminal citation which might issue.

Steve Heckler, Event Coordinator, has requested an exemption from the sound level limitations in Chapter

293.07 in order to present an event and live music, with conditions, from 10:00 a.m. until 10:00 p.m. on September 15, 2012. 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