



Legislation Text

File #: RES PH 23-87, **Version:** 1

Approving the application of Friends of St. Paul College for a sound level variance in order to present live amplified sound for the Friends on the Lawn Event on May 18, 2023 at St. Paul College - 235 Marshall Avenue.

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, St. Paul College, represented by Anne Dresen, Major Gifts Officer, who has been designated as the responsible person on the application, has applied for a variance, for a requested sound level limit of 90 dBA at no specified distance, to present amplified sound at 235 Marshall Ave. - St. Paul College; and

WHEREAS, applicant has requested a variance for the hours of 5:00 p.m. to 8:00 p.m. on May 18, 2023 with a pre-event sound check at 3:00 p.m. on Thursday, May 18, 2023 for the Friends on the Lawn Event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 235 Marshall Ave. - St. Paul College; 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 Friends of St. Paul College, subject to the following conditions:

- 1) The Variance shall for the hours of 5:00 p.m. to 8:00 p.m. on May 18, 2023 with a pre-event sound check at 3:00 p.m. on Thursday, May 18, 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 8:00 p.m. May 18, 2023, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 18, 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.

Friends of St. Paul College, represented by Anne Dresen, Major Gifts Officer, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, for the hours of 5:00 p.m. to 8:00 p.m. on May 18, 2023 with a pre-event sound check at 3:00 p.m. on Thursday, May 18, 2023. 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