



Legislation Text

File #: RES PH 12-266, **Version:** 1

Approving the application of Mark & Amalie Rhein for a sound level variance in order to present amplified music during a wedding from 6:00 p.m. until 11:00 p.m. on September 15, 2012 at 148 Wyoming Street 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, Mark & Amalie Rhein, who are designated as the responsible persons on the application, has applied for a variance to present amplified music during a wedding at 148 Wyoming Street East; and

WHEREAS, applicant is seeking a variance for the hours of 6:00 p.m. until 11:00 p.m. on September 15, 2012; and

WHEREAS, if applicant is not granted a variance she will not be able to present amplified music at 148 Wyoming Street 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 Mark & Amalie Rhein, subject to the following conditions:

- 1) The variance shall be for the hours of 6:00 p.m. until 11:00 p.m. on September 15, 2012 at 148 Wyoming Street East.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA, as measured from the sound source from 6:00 p.m. - 10:00 p.m. and 75 dBA as measured from the sound source from 10:00 p.m. - 11:00 p.m.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at all stages and each sound mix during the hours of the variance, to ensure compliance with Condition #2.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 11:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the September 15, 2012 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Mark & Amalie Rhein has requested an exemption from the sound level limitations in Chapter 293.07 in order

to present amplified music, with limitations, during a wedding at 148 Wyoming Street East from 6:00 p.m. until 11:00 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