



Legislation Text

File #: RES PH 17-162, **Version:** 1

Approving the application of La Shandra Exom for a sound level variance in order to present live music on Tuesday, July 4, 2017 in the parking lot at 1990 Suburban Avenue during Jam Fest.

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, La Shandra Exom has applied for a variance, at a requested sound level limit of 85 dBA at 50 feet, to present live music and a small, free carnival at 1990 Suburban Avenue; and

WHEREAS, applicant is seeking a variance for the hours of 12:00 p.m. until 10:00 p.m., with a pre-event sound check at 11:00 a.m. on Tuesday, July 4, 2017, in the parking lot at 1990 Suburban Avenue, during Jam Fest; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present live music at 1990 Suburban Avenue; 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 La Shandra Exom, Jam Fest, subject to the following conditions:

- 1) The variance shall be for the hours of 12:00 p.m. to 9:00 p.m., with a pre-event sound check at 11:00 a.m., on Tuesday, July 4, 2017.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured 50 feet from sound source.
- 3) The applicant shall provide personnel and equipment to ensure compliance with the sound level variance conditions. The applicant may need to provide a barrier, to act as a sound absorber to contain excess sound from leaving the area.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 9:00 p.m. on the date of the event.

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.

La Shandra Exom has requested an exemption from the sound level limitations in Chapter 293.07 in order to present live music, with limitations, from 12:00 p.m. to 10:00 p.m., with a pre-event sound check at 11:00 a.m.

on Tuesday, July 4, 2017, during Jam Fest, in the parking lot at 1990 Suburban Avenue. 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