



## Legislation Text

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**File #:** RES PH 23-144, **Version:** 1

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Approving the application of Papa Legba's Lounge LLC for a sound level variance in order to present amplified sound on June 23 and June 24, 2023 at 200 & 202 Cesar Chavez Street - Papa Legba Lounge.

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, Papa Legba's Lounge LLC, represented by Dolly Rose Agnew, Owner/CFO, who has been designated as the responsible person on the application, has applied for a variance, for 65 dBA at no specific distance to present amplified sound for Papa Legba's Lounge LLC -Twin Cities Jazz Fest Line Up at 200 & 202 Cesar Chavez St; and

WHEREAS, applicant has requested a variance for the hours of 3:00 p.m. to 10:00 p.m. on June 23 and June 24, 2023 for Papa Legba's Lounge LLC Twin Cities Jazz Fest Line Up; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 200 & 202 Cesar Chavez St; 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 Papa Legba's Lounge LLC subject to the following conditions:

- 1) The Variance shall be for the hours of 3:00 p.m. to 10:00 p.m. on Friday June 23 and Saturday June 24, 2023 for Papa Legba's Lounge LLC - Twin Cities Jazz Fest Line Up.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 65 dBA 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 10:00 p.m. on June 23 and June 24, 2023, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the June 23 and June 24, 2023 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Papa Legba's Lounge LLC, represented by Owner/CFO, Dolly Rose Agnew, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 3:00

p.m. to 10:00 p.m. on June 23 and June 24, 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