



Legislation Text

File #: RES PH 24-49, **Version:** 1

Approving the application of Kalsada dba Pauly's Pub & Grill for a sound level variance in order to present amplified sound for the St. Patrick's Day events on March 15-17, 2024 at 1668 Selby Avenue - Pauly's Pub & Grill parking lot.

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, Kalsada dba Pauly's Pub & Grill, represented by Joe Kasel, Owner, who has been designated as the responsible person on the application, has applied for a variance, for a requested sound level limit of 85 dBA at fifty (50) feet from the sound source, to present amplified sound at 1668 Selby Ave - Pauly's Pub & Grill parking lot; and

WHEREAS, applicant has requested a variance for the hours of 10:00 a.m. to 12:00 a.m., on Friday March 15, Saturday March 16, and Sunday March 17, 2024 for the St Patrick's Day events; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 1668 Selby Ave - Pauly's Pub & Grill parking lot; 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 Kalsada dba Pauly's Pub & Grill, subject to the following conditions:

- 1) The Variance shall be for the hours of 10:00 a.m. to 11:59 p.m. on Friday March 15 and Saturday March 16, and from 10:00 a.m. until 10:00 p.m. on Sunday March 17, 2024.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured at 50 feet from all sound sources outside of the fully enclosed tent from 10:00 a.m. until 11:00 p.m. and shall not exceed 80 dBA as measured at 50 feet outside of the fully enclosed tent from 11:00 p.m. until 11:59 p.m. on Friday, March 15, 2024 and Saturday, March 16, 2024. On Sunday, March 17, 2024, all electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured at 50 feet from all sound sources outside of the fully enclosed tent from 10:00 a.m. until 10:00 p.m.
- 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 11:59 p.m. on March 15 and March 16, and no later than 10:00 p.m. on March 17, 2024, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the March 15, 2024, March 16, 2024 and March 17, 2024 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Kalsada dba Pauly's Pub & Grill, represented by Joe Kasel, Owner, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 10:00 a.m. to 12:00 a.m. on Friday March 15, Saturday March 16, and Sunday March 17, 2024. 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