



Legislation Text

File #: RES PH 15-293, **Version:** 1

Approving the application of Tina Haarbush, Communication Manager, for a sound level variance in order to provide a School Community Fall Fest during the Twin Cities German Immersion School Herbstfest Event on October 10, 2015 at 1031 Como 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, Tina Haarbush, Communication Manager who is designated as the responsible person on the application, has applied for a variance to provide a School Community Fall Fest during the Twin Cities German Immersion School Herbstfest Event at 1031 Como Avenue; and

WHEREAS, applicant is seeking a variance for the hours of 11:00 a.m. until 2:00 p.m. on October 10, 2015; and

WHEREAS, if applicant is not granted a variance she will not be able to provide a School Community Fall Fest during the Twin Cities German Immersion School Herbstfest Event at 1031 Como 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 Tina Haarbush, subject to the following conditions:

- 1) The variance shall be for the hours of 11:00 a.m. until 2:00 p.m. on October 10, 2015 at 1031 Como Avenue.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 80 dBA, as measured at a distance 50 feet from the sound source at 1031 Como Avenue from 11:00 a.m. to 2:00 p.m.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring outside the former church building 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 2:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the October 10, 2015 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Tina Haarbush, Communication Manager, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide a School Community Fall Fest during the Twin Cities German Immersion

School Herbstfest Event at 1031 Como Avenue from 11:00 a.m. until 2:00 p.m. on October 10, 2015. 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