



## Legislation Text

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**File #:** RES PH 19-332, **Version:** 1

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Approving the application of Clutch Brewing Company for a sound level variance for background music and movies on October 12, 2019 at 928 7<sup>th</sup> Street West for the First Annual Halloween Anniversary Bash.

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, Clutch Brewing Company, represented by Ryan Worthley, Front of House Manager, has applied for a variance, at a requested sound level limit of 90 decibels (dBA) at no specified distance, to present background music and movies at 928 7<sup>th</sup> St. W.; and

WHEREAS, applicant is seeking a variance for the hours of 2:00 p.m. until 11:00 p.m., on Saturday, October 12, 2019 at 928 7<sup>th</sup> St. W. for the Clutch Brewing Company First Annual Halloween Anniversary Bash; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present background music and movies at 928 7<sup>th</sup> St. W.; 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 Clutch Brewing Company, subject to the following conditions:

- 1) The Variance shall be for the hours of 2:00 p.m. to 11:00 p.m., on Saturday, October 12, 2019.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured 50 feet from sound source from 2:00 p.m. until 11:00 p.m.
- 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 11:00 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.

Clutch Brewing Company has requested an exemption from the sound level limitations in Chapter 293.07 in order to present background music and movies, with limitations, from 2:00 p.m. to 11:00 p.m., on Saturday, October 12, 2019 for the First Annual Halloween Anniversary Bash at 928 7<sup>th</sup> St. W. 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