



Legislation Text

File #: RES PH 23-156, **Version:** 1

Approving the application of Nikki Hubin for a sound level variance in order to present amplified sound on June 24, 2023 at 1 Leech Street - Hope Breakfast Bar.

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, Nikki Hubin, Purpose Restaurants Catering and Events Manager, who has been designated as the responsible person on the application, has applied for a variance, at no requested sound level limit or specified distance from the sound source at 1 Leech St - Hope Breakfast Bar, within an enclosed tent in the street to present amplified sound; and

WHEREAS, applicant has requested a variance for the hours of 4:00 p.m. to 11:00 p.m. on June 24, 2023 for the Wedding event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 1 Leech St - Hope Breakfast Bar; 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 Nikki Hubin for the Wedding event at 1 Leech St - Hope Breakfast Bar, within an enclosed tent on the street, subject to the following conditions:

- 1) The Variance shall be for the hours of 4:00 p.m. to 11:00 p.m. on Saturday, June 24, 2023.
- 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.
- 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 11:00 p.m. June 24, 2023, the event date.

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

Nikki Hubin, Catering and Events Manger, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 4:00 p.m. to 11:00 p.m. on June 24, 2023 at 1 Leech St - Hope Breakfast Bar. 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