



Legislation Details (With Text)

File #: RES PH 14-136 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 6/4/2014

Title: Approving the application of Dubliner Pub for a sound level variance for an outdoor live music event on Saturday, June 14, 2014 from 3:00 p.m. to midnight.

Sponsors: Russ Stark

Indexes: Ward - 4

Code sections:

Attachments: 1. Application, 2. ENS, 3. Map, 4. Notice to District Council, 5. Notice to Property Owners, 6. List of Property Owners, 7. Letter to Applicant, 8. SAPCC Support 6-14-14, 9. Dubliner Pub GL SAPCC Support 6-14-14

Date	Ver.	Action By	Action	Result
6/10/2014	1	Mayor's Office	Signed	
6/4/2014	1	City Council	Adopted	Pass

Approving the application of Dubliner Pub for a sound level variance for an outdoor live music event on Saturday, June 14, 2014 from 3:00 p.m. to midnight.

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, Dubliner Pub, represented by Geri & Tomas Scanlon, owners, who have been designated as the responsible persons on the application, have applied for a sound level variance for an outdoor music event; and

WHEREAS, the applicant is seeking the variance for the hours of 2:00 p.m. to 11:59 p.m. on Saturday, March 14, 2014; and

WHEREAS, if applicant is not granted a variance it will not be able to present an outdoor live music event at 2162 University Ave West; 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 Dubliner Pub, subject to the following conditions:

- 1) The variance will be for the hours of 2:00 p.m. to 11:59 p.m. on Saturday, June 14, 2014.

- 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 90 dBA as measured at 50 feet or at the sound mix, whichever is the closest to the sound source.
- 3) All electronically powered equipment, PA systems, loudspeakers or similar devices will be directed away from the hotel and face west into the south portion of the Dubliner parking lot.
- 3) The applicant will provide personnel and equipment, during the hours of the variance, who will provide sound level monitoring to ensure compliance with the variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 11:59 p.m. on June 14, 2014.

FURTHER RESOLVED, that any violations of the conditions set forth above may result in denial in the granting of future variance requests, in addition to any criminal citation which might issue.

Dubliner Pub, represented by Geri & Tomas Scanlon, owners, have requested an exemption from the sound level limitations in Chapter 293.07 in for an outdoor music event, from 3:00 p.m. until 11:59 p.m. on Saturday, June 14, 2014, during an outdoor music event. 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