



Legislation Details (With Text)

File #: RES PH 15- 114 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 5/6/2015

Title: Approving the application of Twin Cities Jazz Festival - CHS Stadium for a sound level variance in order to present an outdoor concert from 2:00 p.m. to 10:00 p.m. on June 25, 26 and 27, 2015 at CHS Stadium, 360 Broadway Street.

Sponsors: Dave Thune

Indexes:

Code sections:

Attachments: 1. Sound Level Variance Application, 2. ENS, 3. Map, 4. Notice to Property Owners, 5. List of Property Owners, 6. Letter to Applicant

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------|---------|--------|
| 5/11/2015 | 1 | Mayor's Office | Signed | |
| 5/6/2015 | 1 | City Council | Adopted | Pass |

Approving the application of Twin Cities Jazz Festival - CHS Stadium for a sound level variance in order to present an outdoor concert from 2:00 p.m. to 10:00 p.m. on June 25, 26 and 27, 2015 at CHS Stadium, 360 Broadway Street.

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, Twin Cities Jazz Festival, represented by Steve Heckler, Executive Director, who has been designated as the responsible person on the application, has applied for a variance to present an outdoor Concert at CHS Stadium, 360 Broadway Street; and

WHEREAS, applicant is seeking a variance for the hours of 2:00 p.m. to 10:00 p.m. to present amplified music and use of a public address system outdoors, on Thursday, June 25, 2015, Friday, June 26, 2015 and Saturday, June 27, 2015, for a Concert Event; and

WHEREAS, if applicant is not granted a variance it will not be able to present outdoor live bands with use of a public address system outdoors at CHS Stadium, 1360 Broadway Street; 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 the Twin Cities Jazz Festival, subject to the following conditions:

- 1) The variance will be for an outdoor Concert Event with live band amplified music and use of a public address system, with the hours of 2:00 p.m. to 10:00 p.m., on Thursday, June 25, 2015, Friday, June 26, 2015 and Saturday, June 27, 2015;
- 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 100 dBA as measured at 100 feet from the sound source.
- 3) The applicant will provide personnel and equipment to ensure compliance with the sound level variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 10:00 p.m. on the Concert Event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above, may result in denial of any future variances, in addition to any criminal citation which may be issued.

Twin Cities Jazz Festival, represented by Steve Heckler, Executive Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present an outdoor Concert Event, with limitations, from 2:00 p.m. to 10:00 p.m. on Thursday, June 25, 2015, Friday, June 26, 2015 and Saturday, June 27, 2015, for a Concert Event at CHS Stadium, 360 Broadway Street. 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