# Legislation Details (With Text)

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| **File #:** | RES PH 15-215 **Version:** 1 | | |
| **Type:** | Resolution-Public Hearing | **Status:** | Passed |
| | | **In control:** | City Council |
| | | **Final action:** | 8/5/2015 |
| **Title:** | Approving the application of Melissa Berg for a sound level variance in order to present a live band at 1643 Huron Street on Friday, August 21, 2015 from 7:00 p.m. to 10:00 p.m. | | |
| **Sponsors:** | Amy Brendmoen | | |
| **Indexes:** | Ward - 5 | | |
| **Code sections:** | | | |
| **Attachments:** | 1. Application, 2. Map, 3. ENS, 4. Notice to District Council, 5. List of Property Owners, 6. Notice to Property Owners, 7. Letter to Applicant | | |

| Date | Ver. | Action By | Action | Result |
|---|---|---|---|---|
| 8/7/2015 | 1 | Mayor's Office | Signed | |
| 8/5/2015 | 1 | City Council | Adopted | Pass |

Approving the application of Melissa Berg for a sound level variance in order to present a live band at 1643 Huron Street on Friday, August 21, 2015 from 7:00 p.m. to 10:00 p.m.

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, Melissa Berg, Sponsor of a 40th Birthday Party, and represented by Melissa Berg, who has been designated as the responsible person on the application, has applied for a variance to present a live band at 1643 Huron Street with speakers on Friday, August 21, 2015; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present the live band with speakers at the 1643 Huron Street site; 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 sound level variance to Melissa Berg, subject to the following conditions:

1) The variance will be for the Melissa Berg Birthday Party in order to present a live band at 1643 Huron Street on August 21, 2015 from 7:00 p.m. to 10:00 p.m., with a pre-event sound check from 6:00 p.m. to 7:00 p.m.

2) All electronically powered equipment, PA system, loudspeaker or any similar device used in conjunction with the event, will not exceed 85 dBA, as measured 50 feet from any stage or sound source used for

music and/or announcements between the hours of 7:00 p.m. and 10:00 p.m., with a pre-event sound check from 6:00 p.m. to 7:00 p.m.

3) The applicant shall provide personnel and equipment to ensure compliance with the variance conditions.

4) All electronically powered equipment, PA systems, loudspeakers or similar devices will be turned off by 10:00 p.m. on August 21, 2015.

FURTHER RESOLVED, that any violations of the conditions set forth above on any of the dates may result in revocation of the grant of a variance for the subsequent date(s), in addition to any criminal citation which might issue.

The Melissa Berg Birthday Party, represented by Melissa Berg, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present a live band with speakers on August 21, 2015 at 1643 Huron Street from 7:00 p.m. to 10:00 p.m., with a pre-event sound check from 6:00 p.m. to 7:00 p.m. 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



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