



Legislation Details (With Text)

File #: RES PH 16- 255 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 8/17/2016

Title: Approving the application of Liquid 12 Festivals, d/b/a The Beer Dabbler, for a sound level variance to present amplified music and use of a public address system outdoors on Saturday, August 20, 2016 at CHS Field, 360 Broadway Street.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

Attachments: 1. 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 |
|-----------|------|----------------|---------|--------|
| 8/19/2016 | 1 | Mayor's Office | Signed | |
| 8/17/2016 | 1 | City Council | Adopted | Pass |

Approving the application of Liquid 12 Festivals, d/b/a The Beer Dabbler, for a sound level variance to present amplified music and use of a public address system outdoors on Saturday, August 20, 2016 at CHS Field, 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, Liquid 12 Festivals, DBA The Beer Dabbler, represented by Matt Kenevan, Owner, who has been designated as the responsible person on the application, has applied for a variance, at a requested sound level limit of 85 dBA at 50 feet from the sound source, to present amplified music and use of public address system at CHS Field, 360 Broadway Street; and

WHEREAS, applicant is seeking a variance for the hours of 5:00 p.m. to 9:00 p.m., with a pre-event sound check at 3:00 p.m. to present amplified music and use of a public address system outdoors, on Saturday, August 20, 2016, for the Summer Beer Dabbler; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present outdoor live bands with use of a public address system outdoors at CHS Field, 360 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 Liquid 12 Festivals, DBA The Beer Dabbler, subject to the following conditions:

- 1) The variance will be for the Summer Beer Dabbler with live band amplified music and use of a public address system, and the hours of 5:00 p.m. to 9:00 p.m., with a pre-event sound check at 3:00 p.m. on Saturday, August 20, 2016;
- 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 85 dBA as measured 50 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 9:00 p.m. on Saturday, August 20, 2016.

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.

Liquid 12 Festivals, DBA The Beer Dabbler, represented by Matt Kenevan, Owner, requested an exemption from the sound level limitations in Chapter 293.07 in order to present live bands and use of a public address system, with limitations, from 5:00 p.m. to 9:00 p.m., with a pre-event sound check at 3:00 p.m. on Saturday, August 20, 2016, for the Summer Beer Dabbler at CHS Field, 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