



Legislation Details (With Text)

File #: RES PH 18- 122 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed

In control: City Council

Final action: 5/16/2018

Title: Approving the application of Brock Obee for a sound level variance in order to present outdoor amplified live music on Saturday, June 2, 2018 for the Obee/Rupp Wedding at 924 Hague Avenue.

Sponsors: Dai Thao

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Code sections:

Attachments: 1. Application, 2. ENS, 3. Map, 4. Notice to Owners, 5. Letter to Applicant, 6. Hertel Email of Support 5-16-2018, 7. Jesch Kulset Email of Support 5-16-2018, 8. Lonstein Email of Support 5-16-2018, 9. Ojeda-Zapata Email of Support 5-16-2018, 10. Rudolf Email of Support 5-16-2018

Date	Ver.	Action By	Action	Result
5/18/2018	1	Mayor's Office	Signed	
5/16/2018	1	City Council	Adopted As Amended	Pass

Approving the application of Brock Obee for a sound level variance in order to present outdoor amplified live music on Saturday, June 2, 2018 for the Obee/Rupp Wedding at 924 Hague Avenue.

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, Brock Obee, who has been designated as the responsible person on the application, has applied for a variance, at a requested sound level of 100 to 110 decibels (dBA) at no specified distance to present outdoor live band music with a PA system at 924 Hague Avenue; and

WHEREAS, applicant is seeking a variance for the hours of 7:00 p.m. until midnight, with a pre-event sound check at 6:30 p.m., and live music to end at 11:00 p.m. on Saturday, June 2, 2018 for outdoor live band music with a PA system; and

WHEREAS, if applicant is not granted a variance applicant will not be able to have outdoor live band music with a PA system during the Obee/Rupp Wedding at 924 Hague Avenue; 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 Brock Obee subject to the following conditions:

- 1) The variance will be for outdoor live band music with a PA system during the hours of 7:00 p.m. to 10:00

11:00 p.m., with a pre-event sound check at 6:30 p.m. on Saturday, June 2, 2018.

2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the outdoor ambient music must not exceed 85 dBA as measured 50 feet from 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~~ 11:00 p.m. on Saturday, June 2, 2018.

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.

Brock Obee has requested an exemption from the sound level limitations in Chapter 293.07 in order to present outdoor live band music with a PA system, from 7:00 p.m. until midnight, with a pre-event sound check at 6:30 p.m. on Saturday, June 2, 2018 at 924 Hague Avenue. 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