



Legislation Details (With Text)

File #: RES PH 18- 163 **Version:** 1
Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 6/20/2018

Title: Approving the application of the St. Paul Jewish Community Center for a sound level variance to present live amplified music on July 15, 2018 during a Mini Farmers/Art Market at 1375 St. Paul Avenue.

Sponsors: Chris Tolbert

Indexes: Ward - 3

Code sections:

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

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------|---------|--------|
| 6/26/2018 | 1 | Mayor's Office | Signed | |
| 6/20/2018 | 1 | City Council | Adopted | Pass |

Approving the application of the St. Paul Jewish Community Center for a sound level variance to present live amplified music on July 15, 2018 during a Mini Farmers/Art Market at 1375 St. Paul 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, Barbie Levine, Director of Adult Services and Programs, St. Paul Jewish Community Center, who has been designated as the responsible person on the application, has applied for a variance at a requested sound level limit of 120 dBA, at no specific distance, to present live amplified music at the St. Paul Jewish Community Center Parking Lot, 1375 St. Paul Avenue; and

WHEREAS, applicant is seeking a variance for the hours of 11:00 a.m. to 12:00 p.m. on Sunday, July 15, 2018, with a pre-event sound check from 10:30 a.m., during a Mini Farmers/Art Market; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified live music at 1375 St. Paul 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 the St. Paul Jewish Community Center, subject to the following conditions:

1) The variance shall be for the hours of 11:00 a.m. to 12:00 p.m. on July 15, 2018, with a pre-event sound check at 10:30 a.m.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA at 50 feet during the hours of 11:00 a.m. until 12:00 p.m.
- 3) The applicant shall provide personnel and equipment to ensure compliance with the sound level variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 12:00 p.m. on July 15, 2018.

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

Barbie Levine, St. Paul Jewish Community Center, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present live amplified music, with limitations, from 11:00 a.m. to 12:00 p.m., on July 15, 2018, with a pre-event sound check at 10:30 a.m., during a Mini Farmers/Art Market at 1375 St. Paul 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