Legislation Details (With Text)

File #:	RES PH 19-157 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	6/5/2019
Title:	Approving the application of Twin Cities Jazz Festival for a sound level variance to present amplified live music on June 19 to June 22, 2019 during the Twin Cities Jazz Festival at Mears Park.		
Sponsors:	Rebecca Noecker		
Indexes:	Ward - 2		
Code sections:			
Attachments:	1. Application, 2. ENS, 3. Map, 4. Notice to Owners, 5. Owners List, 6. Letter to Applicant, 7. Aubineau email		

Date	Ver.	Action By	Action	Result
6/12/2019	1	Mayor's Office	Signed	
6/5/2019	1	City Council	Adopted	Pass

Approving the application of Twin Cities Jazz Festival for a sound level variance to present amplified live music on June 19 to June 22, 2019 during the Twin Cities Jazz Festival at Mears Park.

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, at a requested sound level limit of 92 dBA at 100 feet to present amplified music at Mears Park; and

WHEREAS, applicant is seeking a variance for the hours of 12:00 p.m. to 10:00 p.m. on June 19 to June 22, 2019, with a sound check at 10:00 a.m., during the Twin Cities Jazz Festival Mears Park location; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified live music at Mears Park; 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 Twin Cities Jazz Festival, subject to the following conditions:

1) The Variance shall be for the hours of 12:00 p.m. to 10:00 p.m. on June 19 to June 22, 2019, with a sound check at 10:00 a.m.

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2) All electronically powered equipment used in conjunction with the event shall not exceed 92 dBA at 50 feet during the hours of 12:00 p.m. until 10:00 p.m.; and

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 10:00 p.m. on June 19 to June 22, 2019.

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.

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 amplified music, with limitations, from 12:00 p.m. to 10:00 p.m., on June 19 to June 22, 2019, with a sound check at 10:00 a.m., during the Twin Cities Jazz Festival at Mears Park. 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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