Legislation Details (With Text)

File #:	RES PH 19-197 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	7/10/2019
Title:	Approving the application of Steve Heckler, Lowertown Blues Festival, for a sound level variance to present amplified music on Wednesday, July 24 through Saturday July 27, 2019 during the Lowertown Blues 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		

Date	Ver.	Action By	Action	Result
7/16/2019	1	Mayor's Office	Signed	
7/10/2019	1	City Council	Adopted	Pass

Approving the application of Steve Heckler, Lowertown Blues Festival, for a sound level variance to present amplified music on Wednesday, July 24 through Saturday July 27, 2019 during the Lowertown Blues 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, Lowertown Blues Festival, represented by Steve Heckler, Director, who has been designated as the responsible person on the application, has applied for a variance, with a sound level request of 92 dBA at 100 feet, to present amplified music at Mears Park; and

WHEREAS, applicant is seeking a variance beginning Wednesday, July 24 through Saturday July 27, 2019 from noon to 10:00 p.m., with a pre-event sound check at 10:00 a.m. for the Lowertown Blues Festival; 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 Lowertown Blues Festival, Steve Heckler, subject to the following conditions:

1) The Variance will be for the Lowertown Blues Festival beginning Wednesday, July 24 through Saturday July 27, 2019 from noon to 10:00 p.m., with a pre-event sound check at 10:00 a.m. daily.

2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event shall not exceed 80 dBA as measured at 50 feet from the sound source from the hours of 12:00 p.m. until 10:00 p.m. on Wednesday, July 24, 12:00 p.m. until 4:00 p.m. on Thursday, July 25 and Friday, July 26; and shall not exceed 92 dBA at 50 feet from 4:00 p.m. until 10:00 p.m. on Thursday, July 25, Friday, July 26 and 12:00 p.m. until 10:00 p.m. on Saturday July 27, 2019.
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 p.m. on the days of the event performances.

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.

Steve Heckler, Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music, with limitations, beginning Wednesday, July 24 through Saturday July 27, 2019 from noon to 10:00 p.m., with a pre-event sound check at 10:00 a.m. during the Lowertown Blues 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