



Legislation Details (With Text)

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In control: City Council

Final action: 3/4/2020

Title: Approving the application of Keg and Case Market for a sound level variance for live amplified music in an enclosed tent March 14 and 15, 2020 at 928 7th Street West.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

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

| Date | Ver. | Action By | Action | Result |
|----------|------|----------------|--------|--------|
| 3/6/2020 | 1 | Mayor's Office | Signed | |
| 3/4/2020 | 1 | City Council | | |

Approving the application of Keg and Case Market for a sound level variance for live amplified music in an enclosed tent March 14 and 15, 2020 at 928 7th Street West.

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, Keg and Case Market, represented by Brock Parks, Market Manager, who has been designated as the responsible person on the application, has applied for a variance at a requested sound level limit of 110 dBA at no specified distance from the sound source, to present live amplified music in an enclosed tent in the patio area/ parking lot at 928 7th Street West; and

WHEREAS, applicant has requested a variance for the hours from 3:00 p.m. to 10:00 p.m., Saturday, March 14 and Sunday, March 15, 2020 with a pre-event sound check at 2:00 p.m. for Keg and Case's Keg O' Case Party; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified music at 928 7th Street West; 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 Keg and Case Market, subject to the following conditions:

1) The Variance shall be for the hours from 3:00 p.m. to 10:00 p.m., on Saturday, March 14 and Sunday, March 15, 2020 with a pre-event sound check at 2:00 p.m.

2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured at 50 feet from all sound sources outside of the fully enclosed tents.

3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at each sound mix during the hours of the variance.

4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 10:00 p.m. on Saturday, March 14 and Sunday, March 15, 2020, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the Saturday, March 14 and Sunday, March 15, 2020 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Keg and Case Market, represented by Brock Parks, have requested an exemption from the sound level limitations in Chapter 293.07 in order to present live amplified music, with limitations, from 3:00 p.m. to 10:00 p.m., Saturday, March 14 and Sunday, March 15, 2020. 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