



Legislation Details (With Text)

File #: RES PH 20- 211 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 10/7/2020

Title: Approving the application of Laura LeFebvre for a sound level variance in order to present amplified sound on Saturday, October 10, 2020 for the Highland Park Harmonies at 1200 Montreal Avenue.

Sponsors: Chris Tolbert

Indexes: Ward - 3

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
10/8/2020	1	Mayor's Office	Signed	
10/7/2020	1	City Council	Adopted	Pass

Approving the application of Laura LeFebvre for a sound level variance in order to present amplified sound on Saturday, October 10, 2020 for the Highland Park Harmonies at 1200 Montreal 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, Laura LeFebvre, has applied for a variance, at a requested sound level of 80-90 (dBA) at no specified distance to present outdoor sound with speakers and a microphone at 1200 Montreal Avenue; and

WHEREAS, applicant is seeking a variance for the hours of 12:00 p.m. until 9:00 p.m., with a pre-event sound check from 10:00 a.m. to 11:30 a.m. on Saturday, October 10, 2020; and

WHEREAS, if applicant is not granted a variance applicant will not be able to have outdoor sound during the Highland Park Harmonies at 1200 Montreal 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 Laura LeFebvre subject to the following conditions:

- 1) The Variance will be for outdoor music with speakers and a microphone during the hours of 12:00 p.m. to 9:00 p.m., with a pre-event sound check from 10:00 am until 11:30 am on Saturday, October 10, 2020.
- 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 9:00 p.m. on Saturday, October 10, 2020.

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.

Laura LeFebvre has requested an exemption from the sound level limitations in Chapter 293.07 in order to present outdoor music from 12:00 p.m. until 9:00 p.m. with a pre-event sound check, on Saturday, October 10, 2020 at 1200 Montreal 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