Legislation Details (With Text)

File #:	RES PH 21-177 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	7/28/2021
Title:	Approving the application of Trilingua Cinema for a sound level variance in order to present live amplified sound on August 7, 2021 in the Parking Lot at the Northwest Corner of York Avenue and Payne Avenue.		
Sponsors:	Nelsie Yang		
Indexes:	Ward - 6		
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
7/30/2021	1	Mayor's Office	Signed	
7/28/2021	1	City Council	Adopted	Pass

Approving the application of Trilingua Cinema for a sound level variance in order to present live amplified sound on August 7, 2021 in the Parking Lot at the Northwest Corner of York Avenue and Payne 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, Trilingua Cinema, represented by Geordie Flantz, Director, who has been designated as the responsible person on the application, has applied for a variance, for 100 dBA measured at no specified distance from the sound source in the Parking Lot at the Northwest Corner of York Avenue and Payne Avenue, to present amplified sound; and

WHEREAS, applicant has requested a variance for the hours from 9:00 p.m. to 11:00 p.m. on August 7, 2021 with a pre-event sound check from 7:30 p.m. to 8:00 p.m. for the Payne Avenue Car Show event, outdoor film screening; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound in the Parking Lot at the Northwest Corner of York Avenue and Payne 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 Trilingua Cinema, subject to the following conditions:

1) The Variance shall be for the hours from 9:00 p.m. to 11:00 p.m. on Saturday, August 7, 2021 with a pre-

event sound check from 7:30 p.m. to 8:00 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.

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 11:00 p.m. August 7, 2021, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the August 7, 2021 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Trilingua Cinema, represented by Geordie Flantz, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 9:00 p.m. until 11:00 p.m. on August 7, 2021 in the Parking Lot at the Northwest Corner of York Ave. and Payne Ave. 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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