Legislation Details (With Text)

File #:	RES PH 22-133 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	5/25/2022
Title:	Approving the application of OSP Events LLC for a sound level variance in order to present amplified sound on Thursdays, June 6 - September 8, 2022 at Mears Park - 221 5th St E.		
Sponsors:	Rebecca Noecker		
Indexes:	Ward - 2		
Code sections:			
Attachments:	1. Application, 2. ENS, 3. Map, 4. Owners list, 5. Notice to Owner, 6. Letter to Applicant		

Date	Ver.	Action By	Action	Result
5/26/2022	1	Mayor's Office	Signed	
5/25/2022	1	City Council	Adopted	Pass

Approving the application of OSP Events LLC for a sound level variance in order to present amplified sound on Thursdays, June 6 - September 8, 2022 at Mears Park - 221 5th St E.

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, OSP Events LLC, represented by Clint Roberts, Executive Director, who has been designated as the responsible person on the application, has applied for a variance, for 90 dBA at no specified distance, to present amplified sound for the Lowertown Sounds events at Mears Park - 221 5th St E.; and

WHEREAS, applicant has requested a variance for the hours of 6:00 p.m. to 10:00 p.m. with a pre-event sound check at 4:30 p.m. on Thursdays, June 6 - September 8, 2022 for Lowertown Sounds; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at Mears Park - 221 5th St E.; 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 OSP Events LLC, subject to the following conditions:

1) The Variance shall be for the hours of 6:00 p.m. to 10:00 p.m. with a pre-event sound check at 4:30 p.m. on Thursdays, June 6 - September 8, 2022 for the Lowertown Sounds events.

2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA 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 source 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 Thursdays, June 6 - September 8, 2022, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the Thursdays, June 6 - September 8, 2022 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

OSP Events LLC, represented by Executive Director, Clint Roberts, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 6:00 p.m. to 10:00 p.m. with a pre-event sound check at 4:30 p.m. on Thursdays, June 6 - September 8, 2022. 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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