



Legislation Details (With Text)

**File #:** RES PH 22- 132      **Version:** 1

**Type:** Resolution-Public Hearing      **Status:** Passed

**In control:** City Council

**Final action:** 5/25/2022

**Title:** Approving the application of Lowertown Blues for a sound level variance in order to present live amplified sound on July 15 and 16, 2022 at Dual Citizen Brewing Company - 725 Raymond Ave.

**Sponsors:** Mitra Jalali

**Indexes:** Ward - 4

**Code sections:**

**Attachments:** 1. Application, 2. ENS, 3. Map, 4. Owners list, 5. Notice to Owners, 6. Letter to Applicant, 7. RES PH 22-132 - Tim Jordan, 8. RES PH 22-132 - Martha and David Sewall, 9. RES PH 22-132 - Ben Nauman

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 Lowertown Blues for a sound level variance in order to present live amplified sound on July 15 and 16, 2022 at Dual Citizen Brewing Company - 725 Raymond Ave.

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, represented by Steve Heckler, Executive Director, who has been designated as the responsible person on the application, has applied for a variance, for 95 dBA measured at 100 ft from the sound source at Dual Citizen Brewing Company - 725 Raymond Ave, to present amplified sound; and

WHEREAS, applicant has requested a variance for the hours of 6:00 p.m. until 9:00 p.m. on Friday, July 15, 2022 and from 2:00 p.m. to 10:00 p.m., with a pre-event sound check at 12:00 p.m. on Saturday, July 16, 2022 for the Lowertown Blues event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at Dual Citizen Brewing Company - 725 Raymond Ave; 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, subject to the following conditions:

- 1) The Variance shall be for the hours of 6:00 p.m. until 9:00 p.m. on Friday, July 15, 2022 and from 2:00 p.m.

to 10:00 p.m., with a pre-event sound check at 12:00 p.m. on Saturday, July 16, 2022.

2) All electronically powered equipment used in conjunction with the event shall not exceed 92 dBA as measured at 50 feet from all sound sources from 6:00 p.m. until 9:00 p.m. on Friday, July 15 and from 2:00 p.m. until 10:00 p.m., with a pre-event sound check at 12:00 p.m. on Saturday, July 16, 2022

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 9:00 p.m. on July 15, 2022 and 10:00 p.m. July 16, 2022, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the July 15 and 16, 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.

Lowertown Blues, represented by Steve Heckler, 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. until 9:00 p.m. on Friday, July 15, 2022 and from 2:00 p.m. to 10:00 p.m., with a pre-event sound check at 12:00 p.m. on Saturday, July 16, 2022 at Dual Citizen Brewing Company - 725 Raymond 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