



## Legislation Details (With Text)

<b>File #:</b>	RES PH 23-32	<b>Version:</b>	1
<b>Type:</b>	Resolution-Public Hearing	<b>Status:</b>	Passed
		<b>In control:</b>	City Council
		<b>Final action:</b>	2/22/2023
<b>Title:</b>	Approving the application of MP Hospitality dba: Mike's Tav on the Ave for a sound level variance in order to present amplified sound on Friday, March 17, 2023 at 472 Snelling Ave S. - Mike's Tav on the Ave.		
<b>Sponsors:</b>	Chris Tolbert		
<b>Indexes:</b>	Ward - 3		
<b>Code sections:</b>			
<b>Attachments:</b>	1. St. Patrick's Day 2023 Application, 2. ENS#1, 3. map, 4. Owner's list, 5. Notice to Owners, 6. Letter to Applicant		

Date	Ver.	Action By	Action	Result
2/24/2023	1	Mayor's Office	Signed	
2/22/2023	1	City Council	Adopted	Pass

Approving the application of MP Hospitality dba: Mike's Tav on the Ave for a sound level variance in order to present amplified sound on Friday, March 17, 2023 at 472 Snelling Ave S. - Mike's Tav on the 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, MP Hospitality dba: Mike's Tav on the Ave, represented by Mike Mulrooney, Owner, who has been designated as the responsible person on the application, has applied for a variance, for a sound level limit of no specific dBA and distance, to present amplified sound for a St. Patrick's Day 2023 event on March 17, 2023, at 472 Snelling Ave S - Mike's Tav on the Ave; and

WHEREAS, applicant has requested a variance for the hours from 12:00 p.m. to 11:00 p.m., with a pre-event sound check at 10:00 a.m. on Friday, March 17, 2023, for a St. Patrick's Day 2023 event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound outside of 472 Snelling Ave S - Mike's Tav on the 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 MP Hospitality dba: Mike's Tav on the Ave, subject to the following conditions:

- 1) The Variance shall be for the hours 12:00 p.m. to 10:59 p.m., with a pre-event sound check at 10:00 a.m. on Friday, March 17, 2023, for a St. Patrick's Day 2023 event.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured at 90 dBA at 50 feet from all sound sources outside of the fully enclosed tent on March 17, 2023 from 12:00 p.m. until 10:59 p.m.
- 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 10:59 p.m. on March 17, 2023 the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the March 17, 2023 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

MP Hospitality dBA Mike's Tav on the Ave, represented by Mike Mulrooney, Owner, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound for a St. Patrick's Day 2023 event on March 17, 2023 with limitations, 12:00 p.m. to 11:00 p.m.. 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