



## Legislation Details (With Text)

**File #:** RES PH 23- 55 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 3/22/2023

**Title:** Approving the application of Macalester College Program Board for a sound level variance in order to present amplified sound on Saturday, April 15, 2023 at 1600 Grand Ave- Macalester College.

**Sponsors:** Chris Tolbert

**Indexes:** Ward - 3

**Code sections:**

**Attachments:** 1. Spring Fest Application, 2. ENS.1, 3. Map, 4. Macalester Spring Fest Notice to Owners, 5. Owners list, 6. Macalester Spring Fest Letter to Applicant

| Date      | Ver. | Action By      | Action  | Result |
|-----------|------|----------------|---------|--------|
| 3/28/2023 | 1    | Mayor's Office | Signed  |        |
| 3/22/2023 | 1    | City Council   | Adopted | Pass   |

Approving the application of Macalester College Program Board for a sound level variance in order to present amplified sound on Saturday, April 15, 2023 at 1600 Grand Ave- Macalester College.

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, the Macalester College Program Board, represented by Fleury Clark Girimana, Coordinator of Student Organizations, who has been designated as the responsible person on the application, has applied for a variance, for a sound level limit of 120 dBA at no specific distance, to present amplified sound for a Spring Fest event on April 15, 2023, at 1600 Grand Ave- Macalester College; and

WHEREAS, applicant has requested a variance for the hours of 3:00 p.m. to 8:00 p.m., with a pre-event sound check from 11:00 a.m. - 3:00 p.m. on Saturday, April 15, 2023 for a Spring Fest event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 1600 Grand Ave- Macalester College; 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 the Macalester College Program Board, subject to the following conditions:

- 1) The Variance shall be for the hours from 3:00 p.m. to 7:59 p.m., with a pre-event sound check from 11:00 a.m. to 3:00 p.m. on Saturday, April 15, 2023, for a 1600 Grand Ave- Spring Fest event.

- 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.
- 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 7:59 p.m. on April 15, 2023, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on April 15, 2023 may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

The Macalester College Program Board, represented by Fleury Clark Girimana, Coordinator of Student Organizations, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound for a Spring Fest event on April 15, 2023, with limitations, 3:00 p.m. to 8:00 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