



## Legislation Details (With Text)

**File #:** RES PH 23- 92 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 4/26/2023

**Title:** Approving the application of Macalester College for a sound level variance in order to present amplified sound on May 12-13, 2023 at 179 Snelling Avenue South - Macalester Stadium.

**Sponsors:** Chris Tolbert

**Indexes:** Ward - 3

**Code sections:**

**Attachments:** 1. Macalester College Commencement Application, 2. ENS.1, 3. Map, 4. Macalester College Commencement.Notice to Owners, 5. Owner List, 6. Macalester College Commencement.Letter to Applicant

| Date      | Ver. | Action By      | Action  | Result |
|-----------|------|----------------|---------|--------|
| 4/27/2023 | 1    | Mayor's Office | Signed  |        |
| 4/26/2023 | 1    | City Council   | Adopted | Pass   |

Approving the application of Macalester College for a sound level variance in order to present amplified sound on May 12-13, 2023 at 179 Snelling Avenue South - Macalester Stadium.

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, Macalester College, represented by Deanna Seppanen, Director, High Winds Fund, who has been designated as the responsible person on the application, has applied for a variance, for 100 dBA at 50 feet, to present amplified sound for the Macalester College Commencement at 179 Snelling Ave S - Macalester Stadium; and

WHEREAS, applicant has requested a variance for the hours of 10:00 a.m. to 1:30 p.m. on Saturday, May 13, 2023, with a pre-event sound check from 11:00 a.m. - 1:00 p.m. on Friday, May 12, 2023 for Macalester College Commencement; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 179 Snelling Ave S - Macalester Stadium; 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 Macalester College, subject to the following conditions:

- 1) The Variance shall be for the hours of 10:00 a.m. to 1:30 p.m. on Saturday, May 13, 2023 with a pre-event sound check from 11:00 a.m. - 1:00 p.m. on Friday, May 12, 2023 for the Macalester College Commencement.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 92 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 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 1:30 p.m. on May 13 and no later than 1:00 p.m. on May 12, 2023, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 12 and May 13, 2023 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Macalester College, represented by Deanna Seppanen, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 10:00 a.m. to 1:30 p.m. on Saturday, May 13, 2023 and the hours of 11:00 a.m. to 1:00 p.m. on Friday, May 12, 2023. 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