



## Legislation Text

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**File #:** RES PH 13-17, **Version:** 2

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Approving the application of Dubliner Pub for a sound level variance for an outdoor music event on March 15 & 16, 2013, from 3:00 p.m. to midnight.

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, Dubliner Pub, represented by Tom Scanlon, President, who have been designated as the responsible persons on the application, has applied for a variance for an outdoor music event on March 15 & 16, 2013, from 3:00 p.m. to midnight.; and

WHEREAS, applicant is seeking a variance for the hours of 3:00 p.m. to midnight on March 15, & 16, 2013; and

WHEREAS, if applicant is not granted a variance it will not be able to present an outdoor music event at 2162 University Ave West; 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 Dubliner Pub, subject to the following conditions:

- 1) The variance shall be for the hours of 3:00 p.m. to midnight. on March 15 & 16, 2013, during their Saint Patrick's Day celebration.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 95 dBA as measured inside the tent at the wall opposite the stage. Amplifiers and speaker in the tent will be directed away from the hotel and face west into the south portion of the Dubliner parking lot.
- 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 midnight on each date.

FURTHER RESOLVED, that any violations of the conditions set forth above on any of the dates may result in revocation of the grant of a variance for the subsequent date(s), in addition to any criminal citation which might issue.

Dubliner Pub, represented by Tom Scanlon, President, has requested an exemption from the sound level limitations in Chapter 293.07 in for an outdoor music event, with limitations, from 3:00 p.m. until midnight on March 15 & 16, 2013, during their Saint Patrick's Day celebration. 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