



Legislation Text

File #: RES PH 13-119, **Version:** 1

Approving the application of Soluciones for a sound level variance for outdoor, amplified music on June 22, 2013 from 12:00 noon to 7:00 p.m. at 205 Cesar Chavez Street.

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, Soluciones, represented by Felicia Ortega, Chief Operating Officer, who has been designated as the responsible person on the application, has applied for a variance for outdoor, amplified music on June 22, 2013 from 12:00 noon to 7:00 p.m. at 205 Cesar Chavez Street; and

WHEREAS, applicant has requested a variance for the hours of 12:00 noon. to 7:00 p.m. on June 22, 2013; and

WHEREAS, if applicant is not granted a variance it will not be able to have outdoor, amplified music at 205 Cesar Chavez Street; 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 Soluciones, subject to the following conditions:

- 1) The variance shall be for the hours of 12:00 noon to 7:00 p.m. on June 22, 2013.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured at the sound mix or 50 feet from the sound source, whichever is closer.
- 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 7:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the June 22, 2013 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Soluciones, represented by Felicia Ortega, Chief Operating Officer, has requested an exemption from the

sound level limitations in Chapter 293.07 for outdoor, amplified music on June 22, 2013 from 12:00 noon to 7:00 p.m. at 205 Cesar Chavez Street. 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