



Legislation Text

File #: RES PH 13-303, **Version:** 1

Approving the application of Kami Blackwell-Kinney, President, TCGIS-PTO, for a sound level variance in order to provide a DJ booth and sound system during the Twin Cities German Immersion School-PTO Annual Fundraising Event from 7:00 p.m. until 12:00 midnight on February 22, 2014 at 1031 Como Avenue. (Public hearing held December 4)

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, Kami Blackwell-Kinney, President, TCGIS-PTO, who is designated as the responsible person on the application, has applied for a variance to provide a DJ booth and sound system during the Twin Cities German Immersion School-PTO Annual Fundraising Event at 1031 Como Avenue; and

WHEREAS, applicant is seeking a variance for the hours of 7:00 p.m. until 12:00 midnight on February 22, 2014; and

WHEREAS, if applicant is not granted a variance she will not be able to provide a DJ booth and sound system during the Twin Cities German Immersion School-PTO Annual Fundraising Event at 1031 Como Avenue; 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 Kami Blackwell-Kinney, subject to the following conditions:

- 1) The variance shall be for the hours of 7:00 p.m. until 12:00 midnight on February 22, 2014 in the former church building at 1031 Como Avenue.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 75 dBA, as measured at a distance of 50 feet from the former church building exterior from 7:00 p.m. to 12:00 midnight.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring outside the former church building during the hours of the variance, to ensure compliance with Condition #2.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 12:00 midnight on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the February 22, 2014 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Kami Blackwell-Kinney President, TCGIS-PTO, has requested an exemption from the sound level limitations in

Chapter 293.07 in order to provide a DJ booth and sound system during the Twin Cities German Immersion School-PTO Annual Fundraising Event at 1031 Como Avenue from 7:00 p.m. until 12:00 midnight on February 22, 2014. 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