



## Legislation Text

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**File #:** RES PH 14-173, **Version:** 1

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Approving the application of Kirsten Libby, President, Rice Street Festival, for a sound level variance in order to present live music from 7:00 p.m. until 11:00 p.m. on July 25, 2014 at 1079 Rice Street for the Rice Street Festival Street Dance.

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 Rice Street Festival, represented by Kirsten Libby, President, who has been designated as the responsible person on the application, has applied for a variance to present outdoor music at 1079 Rice Street; and

WHEREAS, applicant is seeking a variance for the hours of 7:00 p.m. to 11:00 p.m. on Friday, July 25, 2014 for the Rice Street Festival Street Dance; and

WHEREAS, if applicant is not granted a variance it will not be able to present outdoor music at 1079 Rice 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 the Rice Street Festival, subject to the following conditions:

- 1) The variance will be for the Rice Street Festival Street Dance and the hours of 7:00 p.m. to 11:00 p.m. on Friday, July 25, 2014.
- 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 85 dBA as measured 50 feet from sound source.
- 3) The applicant will provide personnel and equipment to ensure compliance with the sound level variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 11:00 p.m. on the date of the event.

FURTHER RESOLVED, that any violations of the conditions set forth above, may result in denial of any future variances, in addition to any criminal citation which may be issued.

The Rice Street Festival, represented by Kirsten Libby, President, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present outdoor music, with limitations, from 7:00 p.m. to 11:00

p.m. on Friday, July 25, 2014 during the Rice Street Festival Street Dance at 1079 Rice 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