



Legislation Text

File #: RES PH 15-14, **Version:** 1

Approving the application of Visit Saint Paul for a sound level variance in order to use speakers on a Red Bull DJ truck on Seventh Street West between Chestnut and Walnut Streets, and for DJ music in a tent in the parking lot of Burger Moe's, 242 Seventh Street West, during the Red Bull Crashed Ice Village on January 24, 2015 from 5:00 p.m. until 11:00 p.m.

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, Visit Saint Paul, represented by Adam Johnson, Vice President of Marketing, who has been designated as the responsible person on the application, has applied for a variance to provide use of a DJ truck with speakers on 7th Street West between Chestnut and Walnut Streets, and for use of a DJ with music in a tent in the parking lot of Burger Moe's, 242 7th Street West; and

WHEREAS, applicant is seeking a variance for the hours of 5:00 p.m. until 11:00 p.m. on January 24, 2015 from a DJ truck with speakers on 7th Street West between Chestnut and Walnut Streets and from a DJ with music in a tent in the parking lot of Burger Moe's, 242 7th Street West; and

WHEREAS, if applicant is not granted a variance it will not be able to provide the use of a DJ truck with speakers, on 7th Street West between Chestnut and Walnut Streets and for a DJ with music in a tent in the parking lot of Burger Moe's, 242 7th Street West during the Red Bull Crashed Ice Village Event; 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 Adam Johnson, subject to the following conditions:

- 1) The variance shall be for the hours of 5:00 p.m. until 11:00 p.m. on January 24, 2015 at 7th Street West between Chestnut and Walnut Streets for a DJ truck with speakers as well as from a DJ with music in a tent in the parking lot of Burger Moe's, 242 7th Street West.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 95 dBA as measured at 80 feet from the sound source.
- 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 11:00 p.m. on the event dates.

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 noise variance for the subsequent date(s), in addition to any criminal citation which might issue.

Visit Saint Paul, represented by Adam Johnson, Vice President of Marketing, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide a DJ truck with speakers on 7th Street West between Chestnut and Walnut Streets and from a DJ with music in a tent in the parking lot of Burger Moe's, 242 7th Street West for the Red Bull Crashed Ice Village, with limitations. Variance is requested from 5:00 p.m. until 11:00 p.m. on January 24, 2015. 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