



Legislation Text

File #: Ord 15-67, **Version:** 1

Amending Chapter 293 of the Legislative Code regarding Noise Regulations.

Sec. 293.02. Noise as a public nuisance.

(d) Amplified sound. It shall be a violation of this section to play, operate or permit the playing, use or operation of ~~any radio, tape player, disc player, loud speaker or other electronic device~~ a radio, loud speaker, or other device used for the amplification of sound, unless otherwise permitted by law, located inside or outside, the sound of which carries to points of habitation or adjacent properties, and is audible above the level of conversational speech at a distance of fifty (50) feet or more from the point of origin of the amplified sound.

Sec. 293.09. Variances.

- (a) Authority. The city council shall have authority, consistent with this section, to grant variances from the sound level restrictions contained in section 293.07 and section 293.02(d).
- (b) Application. Any person seeking a permit shall file an application with the department on a form prescribed by it. The application shall include the following information:
- (1) Name of responsible person.
 - (2) Dates during which the variance is requested.
 - (3) Location of all particular noise sources and times of operation.
 - (4) Nature of ~~the~~ noise sources and equipment involved.
 - (5) Reasons why a variance is sought.
 - (6) Steps taken to minimize the noise level from the source.
 - (7) A noise impact statement, if required by the department.
- (c) Fee. The application shall be accompanied by the payment of a fee, which fee shall be listed in chapter 310 of the Saint Paul Legislative Code.
- (d) Notice:
- (1) The department shall notify by mail all property owners within ~~two hundred (200)~~ three hundred (300) feet of the sources of noise for which a variance is requested, ~~of the proposed variance,~~ measured from the property lines of the particular noise sources. If the department finds, however, that more than one hundred fifty (150) property owners are within ~~two hundred (200)~~ three hundred

(300) feet of noise sources included in a variance application, it may, in its discretion, notify the management company or president of a common interest community for any multifamily dwelling units. The department may notify a management company or president of a common interest community by electronic mail if notice is actually received and the department obtains confirmation of delivery.

- (2) The notice shall include a statement describing the variance request, the date of the public hearing before the city council on the variance request, and a statement that written comments or objections may be filed with the department within fifteen (15) days of the mailed notice.
- (3) No sound level variance may be granted that would locate the source of any amplified music or announcements or cheer stations within Upper Landing closer than 150 feet from the nearest residential dwelling unit.
- (4) Additional notice will be provided following the provisions for Early Notification in Administrative Code Appendix A-11 within two (2) business days of receipt of a completed application.

SECTION 2

This ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.