



Legislation Text

File #: RES PH 17-157, **Version:** 1

Approving the application of Alliance Francaise de Minneapolis/St Paul for a sound level variance to present amplified music, DJ, and announcements, on Sunday, July 9, 2017 for Bastille Day at Landmark Plaza.

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, Alliance Francaise de Minneapolis/St Paul, represented by Maggie Perry, Development Coordinator, who has been designated as the responsible person on the application, has applied for a variance at a requested sound level limit of 92 decibels (dBA) at 100 feet from the sound source, for the hours of 12:00 p.m. to 6:00 p.m. on Sunday, July 9, 2017, with a pre-event sound check at 11:00 a.m., for Bastille Day at Landmark Plaza; and

WHEREAS, if applicant is not granted a variance it will not be able to present amplified music, DJ, or announcements at the Landmark Plaza Event site; 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 sound level variance to the Alliance Francaise de Minneapolis/St Paul, subject to the following conditions:

1. The variance will be for the Alliance Francaise de Minneapolis/St Paul for a sound level variance for amplified music, DJ, and announcements for Bastille Day at Landmark Plaza on July 9, 2017 for the hours of 12:00 p.m. to 6:00 p.m., with a pre-event sound check at 11:00 a.m.
2. All electronically powered equipment, PA system, loudspeaker or any similar device used in conjunction with the event, will not exceed 92 dBA, as measured 50 feet from any stage or sound source used for music and/or announcements between the hours of 12:00 p.m. and 6:00 p.m., and shall not exceed 75 dBA as measured 50 feet from any stage or sound source, from 11:00 a.m. until 12:00 p.m.
3. The applicant shall provide personnel and equipment to ensure compliance with the variance conditions.
4. All electronically powered equipment, PA systems, loudspeakers or similar devices will be turned off by 6:00 p.m. on July 9, 2017.

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

Alliance Francaise de Minneapolis/ St Paul, represented by Maggie Perry, Development Coordinator, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound and announcements outdoors at the Landmark Plaza for Bastille Day on Sunday, July 9, 2017 from 12:00 p.m. until 6:00 p.m., with a pre-event sound check at 11:00 a.m. 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