



Legislation Text

File #: RES PH 17-207, **Version:** 1

Approving the application of Kala Vandanam for a sound level variance in order to present amplified live music for a dance performance on Saturday, August 12, 2017 during Ritu - The Seasons at Mears Park.

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, Kala Vandanam, represented by Suchitra Sairam, Director, who has been designated as the responsible person on the application, has applied for a variance with a sound level request of 80-85 dBA, at no specified distance, to present amplified music at Mears Park; and

WHEREAS, applicant is seeking a variance, at a requested sound level limit of 80-85 dBA, on Saturday, August 12, 2017 for the hours of 5:00 p.m. to 8:00 p.m., with a pre-event sound check at 4:00 p.m., for Ritu - The Seasons dance performance; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified live music at Mears Park; 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 Kala Vandanam subject to the following conditions:

- 1) The variance will be for Ritu - The Seasons for the hours of 5:00 p.m. until 8:00 p.m., with a pre-event sound check at 4:00 p.m., on Saturday, August 12, 2017.
- 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 8:00 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.

Kala Vandanam, represented by Suchitra Sairam, Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified live music, with limitations, on Saturday, August 12, 2017 from 5:00 p.m. until 8:00 p.m., with a pre-event sound check at 4:00 p.m., during Ritu - The Seasons

dance performance. 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