



Legislation Text

File #: RES PH 17-257, **Version:** 1

Approving the application of MATTER for a sound level variance to present amplified music outdoors for The Children Matter Benefit Concert on Wednesday, September 20, 2017 at CHS Field, 360 Broadway Street.

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, MATTER, represented by Katie Olson, Event Coordinator, who has been designated as the responsible person on the application, has applied for a variance, at a requested sound level limit of 100 dBA at no specified distance from the sound source, to present amplified music at CHS Field, 360 Broadway Street; and

WHEREAS, applicant is seeking a variance for the hours of 7:00 p.m. to 11:00 p.m., with an updated end time request until 10:20 p.m., with a pre-event sound check at 1:00 p.m., to present amplified music outdoors, on Wednesday, September 20, 2017 for The Children Matter Benefit Concert; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present live music outdoors at CHS Field, 360 Broadway 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 MATTER subject to the following conditions:

- 1) The variance will be for The Children Matter Benefit Concert to present live music for the hours of 7:00 p.m. to 10:20 p.m., with a pre-event sound check at 1:00 p.m., on Wednesday, September 20, 2017;
- 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event from 7:00 p.m. until 10:00 p.m. must not exceed 100 dBA as measured 100 feet from the sound source, and must not exceed 95 dBA as measured at 100 feet from 10:01 p.m. until 10:20 p.m.
- 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 10:20 p.m. on Wednesday, September 20, 2017.

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.

MATTER, represented by Katie Olson, Event Coordinator, requested an exemption from the sound level

limitations in Chapter 293.07 in order to present live music, with limitations, from 7:00 p.m. to 11:00 p.m., with an updated end time request until 10:20 p.m., with a pre-event sound check at 1:00 p.m. on Wednesday, September 20, 2017, for The Children Matter Benefit Concert at CHS Field, 360 Broadway 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