



Legislation Text

File #: RES PH 18-8, **Version:** 1

Approving the application of Visit Saint Paul for a sound level variance for DJ music to be played in three locations between 174 Seventh Street West and 258 Seventh Street West during the Red Bull Crashed Ice Village on Saturday, January 20, 2018.

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 with speakers on 7th Street West outside Tom Reid's, 258 7th Street West, at Eagle Street/The Liffey, 174 7th Street West, and under an overhang in front of Cossetta's, 211 7th Street West; and

WHEREAS, applicant is seeking a variance, with a sound level request of 95 decibels at 50 feet from the source from 4:00 p.m. until 11:00 p.m.; and

WHEREAS, if applicant is not granted a variance applicant will not be able to provide the use of DJs on 7th Street West at Tom Reid's, 258 7th Street West and at Eagle Street/The Liffey, 174 7th Street West, and under an overhang in front of Cossetta's, 211 7th Street West during the Red Bull Crashed Ice Village; 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 4:00 p.m. until 11:00 p.m. in the street on West 7th Street on Saturday, January 20, 2018 outside Tom Reid's, 258 7th Street West and at Eagle Street/The Liffey, 174 7th Street West, and under the overhang in front of Cossetta's, 211 7th Street West during the Red Bull Crashed Ice Village.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 95 dBA as measured at 50 feet from all sound sources outside on the street from 4:00 p.m. until 11:00 p.m. on Saturday, January 20, 2018.
- 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 Saturday, January 20, 2018.

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 DJs on 7th Street West at Tom Reid's, 258 7th Street West and at Eagle Street/The Liffey, 174 7th Street West, and under an overhang in front of Cossetta's, 211 7th Street West during the Red Bull Crashed Ice Village from 4:00 p.m. to 11:00 p.m. on Saturday, January 20, 2018. 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