



Legislation Text

File #: RES PH 18-229, **Version:** 1

Approving the application of William Kane for a sound level variance to present amplified DJ music on Saturday, September 8, 2018 for the Casper/Kane Wedding at 208 Amherst Street South.

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, William Kane, has applied for a variance, at a requested sound level of 90 (dBA) at no specified distance to present outdoor DJ music with two speakers and a microphone at 208 Amherst Street South; and

WHEREAS, applicant is seeking a variance for the hours of 4:00 p.m. until 10:00 p.m., with music to end at 10:00 p.m. on Saturday, September 8, 2018 for outdoor amplified music; and

WHEREAS, if applicant is not granted a variance applicant will not be able to have outdoor DJ music during the Casper/Kane Wedding at 208 Amherst Street South; 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 William Kane subject to the following conditions:

- 1) The variance will be for outdoor DJ music with two speakers and a microphone during the hours of 4:00 p.m. to 10:00 p.m., on Saturday, September 8, 2018.
- 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the outdoor ambient music 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 10:00 p.m. on Saturday, September 8, 2018.

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.

William Kane has requested an exemption from the sound level limitations in Chapter 293.07 in order to present outdoor DJ music from 4:00 p.m. until 10:00 p.m., on Saturday, September 8, 2018 at 208 Amherst Street South. 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