Legislation Text

File #: RES PH 18-292, **Version:** 1

Approving the application of the Cathedral Heritage Foundation for a sound level variance to present amplified music and announcements on Thursday, October 4, 2018 in the parking lot at Summit and Selby Avenues and Maiden Lane for the Cathedral Festival of Lights.

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, Cathedral Heritage Foundation, represented by Quinn Cheney, Director, Dowell Management, has applied for a variance to present music and announcements, at no specified sound level limit or distance, in a tent in the parking lot at Summit and Selby Avenues and Maiden Lane, for the hours of 5:00 p.m. to 10:00 p.m., with a pre-event sound check at 4:00 p.m. on Thursday, October 4, 2018; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present their event in a tent in the Cathedral's parking lot; 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 the Cathedral Heritage Foundation, subject to the following conditions:

1) The Variance shall be for the hours of 5:00 p.m. to 10:00 p.m., with a pre-event sound check at 4:00 p.m. on Thursday, October 4, 2018.

2) All electronically powered equipment used in conjunction with the event will not exceed 90 dBA as measured 50 feet from the sound source.

3) The applicant will provide personnel and equipment to provide continuous sound level monitoring to ensure compliance with the sound level limit stated in condition number two (2).

4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 10:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the October 4, 2018 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

The Cathedral Heritage Foundation has requested an exemption from the sound level limitations in Chapter 293.07 in order to present music and announcements from 5:00 p.m. to 10:00 p.m., with a pre-event sound check at 4:00 p.m. on Thursday, October 4, 2018 in a tent in the parking lot of the Cathedral at Summit and Selby Avenues and Maiden Lane. 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