



Legislation Text

File #: RES PH 19-25, **Version:** 1

Approving the application of Dubliner Pub for a sound level variance for an outdoor live music event on Friday, March 15, 2019 through Sunday, March 17, 2019, from 12:00 p.m. to midnight.

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, Dubliner Pub, represented by Thomas Scanlon, owner, who has been designated as the responsible person on the application, has applied for a sound level variance, at no specified sound level limit or distance, for an outdoor music event; and

WHEREAS, the applicant is seeking the variance for the hours of 12:00 p.m. to 12:00 a.m. on Friday, March 15, 2019 through Sunday March 17, 2019; and

WHEREAS, if applicant is not granted a variance it will not be able to present an outdoor live music event at 2162 University Ave West; 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 Dubliner Pub, subject to the following conditions:

- 1) The Variance will be for the hours of 12:00 p.m. to 11:59 p.m. on Friday, March 15, 2019 and Saturday, March 16, 2019 and from 12:00 p.m. until 10:00 p.m. on Sunday March 17, 2019.
- 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 95 dBA as measured at 50 feet from the sound sources outside of the fully enclosed tent.
- 3) All electronically powered equipment, PA systems, loudspeakers or similar devices will be directed away from the hotel and face west into the south portion of the Dubliner parking lot.
- 3) The applicant will provide personnel and equipment, during the hours of the variance, who will provide sound level monitoring to ensure compliance with the variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 11:59 p.m. on March 15, 2019 and March 16, 2019 and no later than 10:00 p.m. on March 17, 2019.

FURTHER RESOLVED, that any violations of the conditions set forth above may result in denial in the granting of future variance requests, in addition to any criminal citation which might issue.

Dubliner Pub, represented by Thomas Scanlon, owner, has requested an exemption from the sound level limitations in Chapter 293.07 for an outdoor music event, from 12:00 p.m. until 11:59 p.m. on Friday, March 15, 2019 through Sunday March 17, 2019. 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