Legislation Text

File #: RES PH 19-81, **Version:** 1

Approving the application of Macalester College Program Board for a sound level variance to present amplified music on Saturday, April 13, 2019 during Springfest at 1600 Grand Avenue.

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, Macalester College, represented by Logan Schrader, Student Activities Coordinator, who has been designated as the responsible person on the application, has applied for a variance to present outdoor music, at a requested sound level limit of 120 decibels (dBA) at no specified distance at 1600 Grand Avenue; and

WHEREAS, applicant is seeking a variance for the hours of 2:00 p.m. to 8:00 p.m., with a pre-event sound check between 11:00 a.m. to 2:00 p.m. on Saturday, April 13, 2019; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present outdoor music at the Athletic Field West of the Leonard Center Gym at 1600 Grand Avenue; 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 Macalester College, subject to the following conditions:

1) The Variance shall be for the hours of 2:00 p.m. to 8:00 p.m., with a pre-event sound check from 11:00 a.m. to 2:00 p.m. on Saturday, April 13, 2019.

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 8:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the April 13, 2019 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Macalester College, Program Board, represented by Logan Schrader, Student Activities Coordinator, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present outdoor music,

with limitations, from 2:00 p.m. until 8:00 p.m., with a 11:00 a.m. to 2:00 p.m. pre-event sound check, on Saturday, April 13, 2019 during an outdoor music event at the Athletic Field at 1600 Grand Avenue. 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