



Legislation Text

File #: RES PH 19-225, **Version:** 1

Approving the application of Kerry D'Amato for a sound level variance in to present amplified music on Saturday, July 20, 2019 at 7 Heather Place for the Halunen Law/Clayton Halunen Summer Pool Party.

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, Kerry D'Amato, Event Coordinator, has applied for a variance, with a sound level request of 70-80 dBA at 50 feet, to present amplified music at 7 Heather Place; and;

WHEREAS, applicant is seeking a variance for the hours of 7:00 p.m. until 12:00 a.m., with a pre-event sound check from 4:30 p.m. until 5:00 p.m., on Saturday, July 20, 2019 at 7 Heather Place for the Halunen Law/Clayton Halunen Summer Pool Party; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present announcements and amplified music at 7 Heather Place; 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 Kerry D'Amato, subject to the following conditions:

- 1) The Variance shall be for the hours of 7:00 p.m. to ~~10:00~~ 11:00 p.m., with a pre-event sound check from 4:30 p.m. until 5:00 p.m., on Saturday, July 20, 2019.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 80 dBA as measured 50 feet from sound source.
- 3) The applicant shall provide personnel and equipment to ensure compliance with the sound level variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 10:00 p.m. on the date of the event.

FURTHER RESOLVED, that any violations of the conditions set forth above on the first date may result in revocation of the grant of a variance for the subsequent date, in addition to any criminal citation which might issue.

Kerry D'Amato has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music, with limitations, from 7:00 p.m. to 11:59 p.m., with a pre-event sound check from 4:30 p.m. until 5:00 p.m., on Saturday, July 20, 2019, for the Halunen Law/Clayton Halunen Summer Pool Party.

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