Legislation Text

File #: RES PH 19-251, **Version:** 1

Approving the application of Saint Paul Area Chamber of Commerce for a sound level variance to present amplified music on Saturday, August 17, 2019 in the parking lot at 166 Larpenteur Avenue, and 1675, 1665 and 1657 Rice Street for their Summer Block 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, Saint Paul Area Chamber of Commerce, represented by Kim O'Brien, Director, has applied for a variance, with a sound level request of 100 dBA at no specified distance, to present live and amplified music in the parking lot of the Strip Mall; and;

WHEREAS, applicant is seeking a variance for the hours of 3:00 p.m. until 8:00 p.m., with a pre-event sound check at 2:00 p.m., on Saturday, August 17, 2019 in the Strip Mall parking lot of 166 Larpenteur Ave., 1675, 1665 and 1657 Rice St. for the Summer Block Party; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present announcements and amplified music in the parking lot of 166 Larpenteur Ave., 1675, 1665 and 1657 Rice St; 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 Saint Paul Area Chamber of Commerce, subject to the following conditions:

1) The Variance shall be for the hours of 3:00 p.m. to 8:00 p.m., with a pre-event sound check at 2:00 p.m., on Saturday, August 17, 2019.

2) All electronically powered equipment used in conjunction with the event shall not exceed 90 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. The applicant may need to provide a barrier, to act as a sound absorber to contain excess sound from leaving the area.

4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 8:00 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.

Saint Paul Area Chamber of Commerce has requested an exemption from the sound level limitations in Chapter 293.07 in order to present live, amplified music, with limitations, from 3:00 p.m. to 8:00 p.m., with a pre-event sound check at 2:00 p.m., on Saturday, August 17, 2019, for the Summer Block Party at 166 Larpenteur Ave., 1675, 1665 and 1657 Rice St. 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