Legislation Text

File #: RES PH 19-282, **Version:** 1

Approving the application of Keg and Case Park LLC for a sound level variance for amplified sound for Oktoberfest Olympics on September 13 and 14, 2019, at 928 7th Street West.

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, Keg and Case Park LLC, represented by Nadine Schaefer, Park Manager, has applied for a variance at a sound level limit of 90 dBA as measured at 50 feet from the sound source, to provide amplified music and the use of a sound system at 928 7th St. W.; and

WHEREAS, applicant is seeking a variance from 10:00 a.m. to 10:00 p.m. on Friday, September 13 and Saturday September 14, 2019, with a pre-event sound check at 10:00 a.m. on Friday during the Oktoberfest Olympics; and

WHEREAS, if applicant is not granted a variance they will not be able to provide the use of a sound system and amplified music at 928 7th St. W.; 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 Nadine Schaefer, Park Manager, for Oktoberfest Olympics at 928 7th St. W. subject to the following conditions:

1) The Variance shall be for the hours of 10:00 a.m. to 10:00 p.m. on Friday, September 13 and Saturday, September 14, 2019, with a pre-event sound check at 10:00 a.m. on Friday.

2) All electronically powered equipment, PA systems, loudspeakers, or similar devices used in conjunction with the event must not exceed 90 dBA at 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 variance conditions.

4) All electronically powered equipment, PA systems, loudspeakers, or similar devices must be turned off no later than 10:00 p.m. on September 13 and September 14, 2019.

FURTHER RESOLVED, that any violations of the conditions set forth above, may result in denial of any future variances, in addition to any criminal citation which may be issued.

Nadine Schaefer, Park Manager, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music with speakers, from 10:00 a.m. to 10:00 p.m. on Friday, September 13 and Saturday ,September 14, 2019, with a pre-event sound check at 10:00 a.m. on Friday for amplified

sound at 928 7th St. W. 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

powered by Legistar™