



Legislation Text

File #: RES PH 21-47, **Version:** 1

Approving the application of Shamrock's Irish Nook for a sound level variance in order to present outdoor amplified music on Wednesday, March 17; Friday, March 19; and Saturday, March 20, 2021 at 995 Seventh 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, Shamrock's Irish Nook, represented by Michael Runyon, owner, who has been designated as the responsible person on the application, has applied for a variance, at 90 dBA at no specified distance, to present amplified music outdoors with a single wall and door installation at 995 7th Street West; and

WHEREAS, applicant has requested a variance for the hours from 10:00 a.m. to 10:00 p.m. on Wednesday, March 17, Friday, March 19 and Saturday, March 20, 2021 with a pre-event sound check at 10:00 a.m. for Shamrock's St. Patrick's Day Events; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified music at 995 7th Street West; and

WHEREAS, applicant has acknowledged that any social gathering associated with this variance must be managed in full compliance with all applicable Governor Walz and Mayor Carter COVID-19 Orders including but not limited to Orders related to social distancing, mask wearing and attendance limits.

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 Shamrock's Irish Nook, subject to the following conditions:

- 1) The Variance shall be for the hours from 10:00 a.m. to 10:00 p.m. on Wednesday, March 17, Friday, March 19 and Saturday, March 20, 2021 with a pre-event sound check at 10:00 a.m.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured at 50 feet from all sound sources on Wednesday, March 17, 2021 and shall not exceed 90 dBA as measured at 50 feet from all sound sources on Friday, March 19, 2021 and Saturday, March 20, 2021 outside of the single wall and door installation outdoors.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at each sound mix during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no

later than 10:00 p.m. Wednesday, March 17, Friday March 19 and Saturday March 20, 2021, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the Wednesday, March 17, Friday March 19 and Saturday March 20, 2021 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Shamrock's Irish Nook, represented by Michael Runyon, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present outdoor amplified music, with limitations, from 10:00 a.m. until 10:00 p.m. on Wednesday, March 17, Friday March 19 and Saturday March 20, 2021. 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