



Legislation Text

File #: RES PH 21-163, **Version:** 1

Approving the application of Dual Citizen Brewing for two sound level variances in order to present live amplified sound on July 10, 2021 and on August 14, 2021 at 725 Raymond 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, Dual Citizen Brewing, represented by Tim Kessler, Manager, who has been designated as the responsible person on the application, has applied for two variances, for 92 dBA measured at 100 feet from the sound source at 725 Raymond Ave., to present amplified sound; and

WHEREAS, applicant has requested two variances for the hours from 5:00 p.m. to 9:00 p.m. on Saturday, July 10, 2021 and Saturday, August 14, 2021 with a pre-event sound check at 2:00 p.m. for the July and August Concert Series events; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 725 Raymond Ave.; 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 two variances to Dual Citizen Brewing, at 725 Raymond Ave., subject to the following conditions:

- 1) The Variances shall be for the hours from 5:00 p.m. to 9:00 p.m. on Saturday, July 10, 2021 and Saturday, August 14, 2021 with a pre-event sound check at 2:00 p.m.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured at 50 feet from all sound sources.
- 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 9:00 p.m. July 10, 2021 and August 14, 2021, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the July 10, 2021 and August 14, 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.

Dual Citizen Brewing, represented by Tim Kessler, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 5:00 p.m. until 9:00

p.m. on July 10, 2021 and August 14, 2021 at 725 Raymond Ave. 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