



Legislation Text

File #: RES PH 23-38, **Version:** 1

Approving the application of Saints Baseball, LLC, for a sound level variance in order to present amplified sound on Friday, March 17, 2023 at 360 Broadway St- St. Paul Saints Baseball Club.

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, Saints Baseball, LLC, represented by Tom Whaley, Executive Vice-president, who has been designated as the responsible person on the application, has applied for a variance, for a sound level limit of 90 dBA at no specific distance, to present amplified sound for a Ballpark Hooley - St. Pat's Assoc. Post-Parade event on March 17, 2023, at 360 Broadway St- St. Paul Saints Baseball Club; and

WHEREAS, applicant has requested a variance for the hours of 12:00 p.m. to 4:00 p.m., with a pre-event sound check from 11:00 a.m. - 12:00 p.m. on Friday, March 17, 2023 for a Ballpark Hooley - St. Pat's Assoc. Post-Parade event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 360 Broadway St- St. Paul Saints Baseball Club; 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 Saints Baseball, LLC, subject to the following conditions:

- 1) The Variance shall be for the hours from 12:00 p.m. to 3:59 p.m., with a pre-event sound check from 11:00 a.m. to 12:00 p.m. on Friday, March 17, 2023, for a 360 Broadway St- St. Paul Saints Baseball Club St. Pat's Association Post-Parade event.
- 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 source during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 3:59 p.m. on March 17, 2023, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on March 17, 2023, dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Saints Baseball, LLC, represented by Tom Whaley, Executive Vice-president, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound for a Ballpark Hooley - St. Pat's Assoc. Post-Parade event on March 17, 2023, with limitations, 12:00 p.m. to 4:00 p.m. 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