



## Legislation Text

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**File #:** RES PH 24-73, **Version:** 1

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Approving the application of WestSide Boosters Youth Athletics for a sound level variance in order to present amplified sound on Saturday, May 4, 2024 at 179 Robie Street.

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, WestSide Boosters Youth Athletics, represented by Santino Franco, Cinco de Mayo Chair, who has been designated as the responsible person on the application, has applied for a variance for a requested sound level limit of 95 dBA at 100 feet, to present amplified sound for a West Side Cinco de Mayo event on May 4, 2024, at 179 Robie St; and

WHEREAS, applicant has requested a variance for the hours from 8:00 a.m. to 6:00 p.m., on Saturday, May 4, 2024, for a West Side Cinco de Mayo event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound outside of 179 Robie 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 WestSide Boosters Youth Athletics, subject to the following conditions:

- 1) The Variance shall be for the hours of 8:00 a.m. to 6:00 p.m., on Saturday, May 4, 2024, for a West Side Cinco de Mayo 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 6:00 p.m. on May 4, 2024, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 4, 2024 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

WestSide Boosters Youth Athletics, represented by Santino Franco, Cinco de Mayo Chair, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound for West Side

Cinco de Mayo on May 4, 2024 with limitations, 8:00 a.m. to 6:00 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