Legislation Text

File #: RES PH 24-123, **Version:** 1

Approving the application of City of Lakes Community Band for a sound level variance in order to present amplified sound on June 18, 2024 at 1360 Lexington Parkway North - Como Lakeside Pavilion.
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, City of Lakes Community Band, represented by Emily Miller, Director of Logistics, who has been designated as the responsible person on the application, has applied for a variance, for 100 dBA at no specified distance, to present amplified sound for the Como Pavilion Concert Series at 1360 Lexington Pkwy N - Como Lakeside Pavilion; and

WHEREAS, applicant has requested a variance for the hours from 7:00 p.m. to 8:30 p.m. with a pre-event sound check at 6:30 p.m. on Tuesday, June 18, 2024 for the Como Pavilion Concert Series; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 1360 Lexington Pkwy N - Como Lakeside Pavilion; 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 the City of Lakes Community Band, subject to the following conditions:

1) The Variance shall be for the hours from 7:00 p.m. to 8:30 p.m. with a pre-event sound check at 6:30 p.m. on Tuesday, June 18, 2024 for the Como Pavilion Concert Series.

2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA 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 8:30 p.m. June 18, 2024, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the June 18, 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.

City of Lakes Community Band, represented by Emily Miller, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 7:00 p.m. to 8:30 p.m. on June 18, 2024. 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