



## Legislation Text

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**File #:** RES PH 24-247, **Version:** 2

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Approving the application of Wabasha Brewing Co for a sound level variance in order to present amplified sound on Saturdays October 5, 12, 19, and 26, 2024 at 429 Wabasha Street South.

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, Wabasha Brewing Co, represented by Deanna Vastine, Event Coordinator, who has been designated as the responsible person on the application, has applied for a variance, for 80 dBA at no specified distance, to present amplified sound for the Music at Wabasha series, at 429 Wabasha Street S; and

WHEREAS, applicant has requested a variance for the hours of 2:00 p.m. to 8:00 p.m. with a pre-event sound check at 1:30 p.m. on Saturdays October 5, 12, 19, and 26, 2024 for the Music at Wabasha series; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 429 Wabasha Street S; 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 Wabasha Brewing Co, subject to the following conditions:

1) The Variance shall be for the hours of 5:00 p.m. to 8:00 p.m., with a pre-event sound check from 1:30 p.m. to 2:00 p.m. on Saturday October 5.

4) 2) The Variance shall be for the hours of 2:00 p.m. to 8:00 p.m. with a pre-event sound check at 1:30 p.m. on Saturdays October 5, 12, 19, and 26, 2024 for a Music at Wabasha event series.

2) 3) All electronically powered equipment used in conjunction with the event shall not exceed 80 dBA at 50 feet from all sound sources

3) 4) The applicant shall monitor the decibel level from the variance approved distance of each noise source and create a report that records the general operating decibel levels within 15 minutes of the start each performing act and at intervals no greater than 60 minutes apart thereafter. The report shall be made available for viewing by city staff, upon request during the variance or within 30 days thereafter. Applicant shall also conduct a decibel reading during the variance upon request of city staff.

4) 5) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 8:00 p.m. on October 5, 12, 19, and 26, 2024, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the Saturday October 5, 12, 19, and 26, 2024 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Wabasha Brewing Co, represented by Event Coordinator, Deanna Vastine, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 2:00 p.m. to 8:00 p.m. with a pre-event sound check at 1:30 p.m. on Saturdays October 5, 12, 19, and 26, 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