



## Legislation Text

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**File #:** RES PH 11-991, **Version:** 1

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Approving the application of Andrea Jepsen & Brett Turner for a sound level variance in order to present amplified music during a wedding and reception from 6:00 p.m. until 11:30 p.m. on August 6, 2011 at 444 Laurel 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, Andrea Jepsen & Brett Turner, who are designated as the responsible persons on the application, has applied for a variance to present amplified music during a wedding and reception at 444 Laurel Ave; and

WHEREAS, applicant is seeking a variance for the hours of 6:00 p.m. until 11:30 p.m. on August 06, 2011. However, the Department of Safety and Inspections recommends the variance is between 6:00 p.m. and 11:00 p.m.; and

WHEREAS, if applicant is not granted a variance she will not be able to present amplified music at 444 Laurel 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 a variance to Andrea Jepsen & Brett Turner, subject to the following conditions:

- 1) The variance shall be for the hours of 6:00 p.m. until 11:00 p.m. on August 06, 2011 at 444 Laurel Ave.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 75 dBA, as measured at the property line.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at all stages and each sound mix during the hours of the variance, to ensure compliance with Condition #2.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 11:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the August 06, 2011 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Andrea Jepsen & Brett Turner has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music, with limitations, during a wedding and reception at 444 Laurel Ave from 6:00 p.m. until 11:30 p.m. on August 6, 2011. However, the Department of Safety and Inspections

recommends the variance is between 6:00 p.m. and 11:00 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