



Legislation Details (With Text)

File #: RES PH 14- 277 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 10/1/2014

Title: Approving the application of Twin Cities in Motion for a sound level variance in order to present outdoor announcements, speakers, and use of microphones on Saturday, October 4, 2014 from 6:30 a.m. to 12:00 p.m. and Sunday, October 5, 2014 from 7:00 a.m. to 2:00 p.m. during the Twin Cities in Motion Medtronic Twin Cities Marathon Event 2014 at 600 John Ireland Boulevard of the State Capitol Complex.

Sponsors: Dave Thune

Indexes: Ward - 2

Code sections:

Attachments: 1. Application, 2. ENS, 3. Map, 4. Notice to District Council, 5. Notice to Property Owners, 6. List of Property Owners, 7. Letter to Applicant

Date	Ver.	Action By	Action	Result
10/3/2014	1	Mayor's Office	Signed	
10/1/2014	1	City Council	Adopted	Pass

Approving the application of Twin Cities in Motion for a sound level variance in order to present outdoor announcements, speakers, and use of microphones on Saturday, October 4, 2014 from 6:30 a.m. to 12:00 p.m. and Sunday, October 5, 2014 from 7:00 a.m. to 2:00 p.m. during the Twin Cities in Motion Medtronic Twin Cities Marathon Event 2014 at 600 John Ireland Boulevard of the State Capitol Complex.

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, Twin Cities in Motion, represented by Jeff Decker, Race Director, who has been designated as the responsible person on the application, has applied for a variance to present outdoor announcements, speakers and use of microphones at 600 John Ireland Boulevard, of the State Capitol Complex; and

WHEREAS, applicant is seeking a variance for the hours of 6:30 a.m. to 12:00 p.m. on Saturday, October 4, 2014, and from 7:00 a.m. to 2:00 p.m. on Sunday October 5, 2014 for outdoor announcements, speakers and use of microphones at 600 John Ireland Boulevard, of the State Capitol Complex during the Medtronic Twin Cities Marathon 2014 Event; and

WHEREAS, if applicant is not granted a variance it will not be able to present outdoor announcements, speakers and use of microphones at 600 John Ireland Boulevard, State Capitol Complex; 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 Twin Cities in Motion, subject to the following conditions:

- 1) The variance will be for the Twin Cities in Motion, Medtronic Twin Cities Marathon 2014 at 600 John Ireland Boulevard, State Capitol Complex for the hours of 6:30 a.m. to 12:00 p.m. on Saturday, October 4, 2014 and from 7:00 a.m. to 2:00 p.m. on Sunday, October 5, 2014 for outdoor announcements, speakers and use of microphones.
- 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 85 dBA as measured 50 feet from sound source.
- 3) The applicant will provide personnel and equipment to ensure compliance with the sound level variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 12:00 p.m. on Saturday, October 4, 2014 and no later than 2:00 p.m. on Sunday, October 5, 2014, the dates of the event.

FURTHER RESOLVED, that any violations of the conditions set forth above, may result in denial of any future variances, in addition to any criminal citation which may be issued.

Twin Cities in Motion, represented by Jeff Decker, Race Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present outdoor announcements, speakers and use of microphones, from 6:30 a.m. to 12:00 p.m. on Saturday, October 4, 2014 and from 7:00 a.m. to 2:00 p.m. on Sunday, October 5, 2014 during the Medtronic Twin Cities Marathon 2014 Event at 600 John Ireland Boulevard, State Capitol Complex. Chapter 293.09 provides for the granting of variances from the sound level limitation contained in Chapter 293.07.

Was proper notice given? YES - See Attachments