



Legislation Details (With Text)

File #: RES PH 22- 120 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed

In control: City Council

Final action: 5/18/2022

Title: Approving the application of Thai Cultural Council of Minnesota for a sound level variance in order to present amplified sound on May 28 and 29 at 75 Rev. Dr. Martin Luther King Jr. Blvd. - MN State Capitol.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

Attachments: 1. Application, 2. ENS, 3. Map, 4. Owners list, 5. Notice to Owner, 6. Letter to Applicant

Date	Ver.	Action By	Action	Result
5/23/2022	1	Mayor's Office	Signed	
5/18/2022	1	City Council	Adopted	Pass

Approving the application of Thai Cultural Council of Minnesota for a sound level variance in order to present amplified sound on May 28 and 29 at 75 Rev. Dr. Martin Luther King Jr. Blvd. - MN State Capitol.

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, Thai Cultural Council of Minnesota, represented by Tracy Schultz, Project Manager, who has been designated as the responsible person on the application, has applied for a variance, for 85 dBA at no specified distance, to present amplified sound for the Minnesota Songkran Festival at 75 Rev. Dr. Martin Luther King Jr. Blvd. - MN State Capitol.; and

WHEREAS, applicant has requested a variance for the hours of 11:00 a.m. to 9:00 p.m. on Saturday, May 28 and 11:00 a.m. to 6:00 p.m. on Sunday, May 29, 2022 with a pre-event sound check from 1:00 p.m. to 2:00 p.m. on Friday, May 27, 2022 and 9:00 a.m. on May 28 and 29, 2022 for Minnesota Songkran Festival; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 75 Rev. Dr. Martin Luther King Jr. Blvd. - MN State Capitol.; 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 Thai Cultural Council of Minnesota, subject to the following conditions:

1) The Variance shall be for the hours of 11:00 a.m. to 9:00 p.m. on Saturday, May 28 and 11:00 a.m. to 6:00

p.m. on Sunday, May 29, 2022 with a pre-event sound check from 1:00 p.m. to 2:00 p.m. on Friday, May 27, 2022 and at 9:00 a.m. on May 28 and 29, 2022 for the Minnesota Songkran Festival.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 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 9:00 p.m. on May 28 and 6:00 p.m. on May 29, 2022, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 28 and 29, 2022 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Thai Cultural Council of Minnesota, represented by Project Manager, Tracy Schultz, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 11:00 a.m. to 9:00 p.m. on May 28 and 11:00 a.m. to 6:00 p.m. on 29, 2022 with a pre-event sound check from 1:00 p.m. to 2:00 p.m. on May 27, 2022 and 9:00 a.m. on May 28 and 29, 2022. 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