



Legislation Details (With Text)

File #: RES PH 22-125 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 5/18/2022

Title: Approving the application of Safe Passage for Children for a sound level variance in order to present amplified sound on June 4, 2022 at Highland Park Picnic Shelter - 1200 Montreal Ave.

Sponsors: Chris Tolbert

Indexes: Ward - 3

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 Safe Passage for Children for a sound level variance in order to present amplified sound on June 4, 2022 at Highland Park Picnic Shelter - 1200 Montreal Ave.

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, Safe Passage for Children, represented by Stephanie McCorkell, Operations Manager, who has been designated as the responsible person on the application, has applied for a variance, for 115 dBA at no specified distance, to present amplified sound for the Safe Passage Spring Open House at Highland Park Picnic Shelter - 1200 Montreal Ave.; and

WHEREAS, applicant has requested a variance for the hours of 3:00 p.m. to 8:00 p.m. on June 4, 2022 for the Safe Passage Spring Open House; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at Highland Park Picnic Shelter - 1200 Montreal 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 Safe Passage for Children, subject to the following conditions:

1) The Variance shall be for the hours of 3:00 p.m. to 8:00 p.m. on Saturday, June 4, 2022 for the Safe Passage Spring Open House.

- 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 8:00 p.m. on June 4, 2022, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the June 4, 2022 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Safe Passage for Children, represented by Operations Manager, Stephanie McCorkell, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 3:00 p.m. to 8:00 p.m. on June 4, 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