



Legislation Details (With Text)

File #: RES PH 22- 202 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 8/3/2022

Title: Approving the application of Minnesota Children's Museum for a sound level variance in order to present amplified sound on August 13, 2022 at 10 Seventh Street West - Minnesota Children's Museum.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

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

Date	Ver.	Action By	Action	Result
8/5/2022	1	Mayor's Office	Signed	
8/3/2022	1	City Council	Adopted	Pass

Approving the application of Minnesota Children's Museum for a sound level variance in order to present amplified sound on August 13, 2022 at 10 Seventh Street West - Minnesota Children's Museum.

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, Minnesota Children's Museum, represented by Sara Oehlerts, Event Manager, who has been designated as the responsible person on the application, has applied for a variance, for a requested sound level limit of 100 dBA at no specified distance, to present amplified sound at 10 West 7th St - the Minnesota Children's Museum; and

WHEREAS, applicant has requested a variance for the hours from 9:00 a.m. to 2:00 p.m., with a sound check from 9:30 a.m. to 10:00 a.m. on August 13, 2022 for the Play Rocks! Block Party and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 10 West 7th St. - the Minnesota Children's Museum; 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 Minnesota Children's Museum, subject to the following conditions:

1) The Variance shall be for the hours from 9:00 a.m. to 2:00 p.m. on Saturday, August 13, 2022 with a sound check from 9:30 a.m. to 10:00 a.m.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured 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 2:00 p.m. on August 13, 2022, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the August 13, 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.

Minnesota Children's Museum, represented by Sarah Oehlerts, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 9:00 a.m. to 2:00 p.m. on August 13, 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