



Legislation Details (With Text)

File #: RES PH 23- 27 **Version:** 1

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In control: City Council
Final action: 2/15/2023

Title: Approving the application of Ecolab for a sound level variance in order to present amplified sound on Sunday, March 12, 2023 at 109 W 4th St - Rice Park.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

Attachments: 1. Ecolab Centennial Celebration Application, 2. ENS#1, 3. Map, 4. Owner's list, 5. Ecolab-Centennial Celebration 2023 Notice to Owners, 6. Ecolab Centennial Celebration.Letter to Applicant

Date	Ver.	Action By	Action	Result
2/17/2023	1	Mayor's Office	Signed	
2/15/2023	1	City Council	Adopted	Pass

Approving the application of Ecolab for a sound level variance in order to present amplified sound on Sunday, March 12, 2023 at 109 W 4th St - Rice Park.

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, Ecolab, represented by Madalyn Worden, Event Coordinator, who has been designated as the responsible person on the application, has applied for a variance, for a sound level limit of 125 dBA at no specified distance, with a pre-event sound check at 9:00 a.m., to present amplified sound for an Ecolab Centennial Celebration event on March 12, 2023, at 109 W 4th St - Rice Park; and

WHEREAS, applicant has requested a variance for the hours from 11:00 a.m. to 2:00 p.m., with a pre-event soundcheck at 9:00 a.m. on Sunday, March 12, 2023, for a Ecolab Centennial Celebration event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound outside of 109 W 4th St - Rice Park; 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 Ecolab, subject to the following conditions:

- 1) The Variance shall be for the hours 11:00 a.m. to 2:00 p.m., with a pre-event soundcheck at 9:00 a.m. on Sunday, March 12, 2023, for an Ecolab Centennial Celebration event.

- 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 source during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 1:59 p.m. on March 12, 2023, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the March 12, 2023 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Ecolab, represented by Madalyn Worden, Event Coordinator, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound for Ecolab Centennial Celebration on March 12, 2023 with limitations, 11:00 a.m. to 2:00 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