



Legislation Details (With Text)

File #: RES PH 23- 71 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 4/5/2023

Title: Approving the application of Podium Sports Marketing for a sound level variance in order to present amplified sound on May 6, 2023 at Upper Landing Park.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

Attachments: 1. Human Powered Health Half Marathon Application, 2. ENS.1, 3. map, 4. Human Powered Health Half Marathon.Notice to Owners, 5. Owner list, 6. Human Powered Health Half Marathon.Letter to Applicant

Date	Ver.	Action By	Action	Result
4/11/2023	1	Mayor's Office	Signed	
4/5/2023	1	City Council	Adopted	Pass

Approving the application of Podium Sports Marketing for a sound level variance in order to present amplified sound on May 6, 2023 at Upper Landing 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, Podium Sports Marketing, represented by Liz Danley, Race Ops Coordinator, 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 Human Powered Health Half Marathon at Upper Landing Park; and

WHEREAS, applicant has requested a variance for the hours from 8:00 a.m. to 11:30 a.m., with a pre-event sound check at 7:30 a.m. on Saturday, May 6, 2023 for the Human Powered Health Half Marathon; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at Upper Landing 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 Podium Sports Marketing, subject to the following conditions:

1) The Variance shall be for the hours from 8:00 a.m. to 11:30 a.m., with a pre-event sound check at 7:30 a.m. on Saturday, May 6, 2023, for the Human Powered Health Half Marathon.

- 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 the 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 11:30 a.m. May 6, 2023, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 6, 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.

Podium Sports Marketing, represented by Liz Danley, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 8:00 a.m. to 11:30 a.m., with a pre-event sound check at 7:30 a.m. on May 6, 2023. 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