



Legislation Details (With Text)

File #: RES PH 23- 152 **Version:** 1

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

In control: City Council

Final action: 6/21/2023

Title: Approving the application of Colleen Healy for a sound level variance in order to present amplified sound on July 4, 2023 at 30 Langford Park - Langford Park Bandstand.

Sponsors: Mitra Jalali

Indexes: Ward - 4

Code sections:

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

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------|---------|--------|
| 6/23/2023 | 1 | Mayor's Office | Signed | |
| 6/21/2023 | 1 | City Council | Adopted | Pass |

Approving the application of Colleen Healy for a sound level variance in order to present amplified sound on July 4, 2023 at 30 Langford Park - Langford Park Bandstand.

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, Colleen Healy, Volunteer, who has been designated as the responsible person on the application, has applied for a variance, at no requested sound level limit or specified distance from the sound source at 30 Langford Pk - Langford Park Bandstand, to present amplified sound; and

WHEREAS, applicant has requested a variance for the hours of 11:00 a.m. to 6:00 p.m., with a pre-event sound check from 11:00 a.m. to 12:00 p.m. on July 4, 2023 for the 4th in the Park event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 30 Langford Pk - Langford Park Bandstand; 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 Colleen Healy for the 4th in the Park event at 30 Langford Pk - Langford Park Bandstand, subject to the following conditions:

- 1) The Variance shall be for the hours of 11:00 a.m. to 6:00 p.m., with a pre-event sound check from 11:00 a.m. to 12:00 p.m. on Tuesday, July 4, 2023.
- 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 6:00 p.m. July 4, 2023, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the July 4, 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.

Colleen Healy, Volunteer, 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 6:00 p.m. on July 4, 2023 at 30 Langford Pk - Langford Park Bandstand. 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