



Legislation Details (With Text)

File #: RES PH 23- 56 **Version:** 1
Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 3/22/2023

Title: Approving the application of Pancreatic Cancer Action Network c/o Event360, Inc for a sound level variance in order to present amplified sound on April 28, 2023 and April 29, 2023 at 200 Dr Justus Ohage Blvd - Harriet Island Regional Park.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

Attachments: 1. 2023 PurpleStride Application, 2. ENS.1, 3. Map, 4. PanCAN PurpleStride.Notice to Owners, 5. Owner list, 6. PanCAN PurpleStride.Letter to Applicant

Date	Ver.	Action By	Action	Result
3/28/2023	1	Mayor's Office	Signed	
3/22/2023	1	City Council	Adopted	Pass

Approving the application of Pancreatic Cancer Action Network c/o Event360, Inc for a sound level variance in order to present amplified sound on April 28, 2023 and April 29, 2023 at 200 Dr Justus Ohage Blvd - Harriet Island Regional 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, Pancreatic Cancer Action Network c/o Event360, Inc, represented by Kayla Leibfried, Event Production Coordinator, who has been designated as the responsible person on the application, has applied for a variance, for 95 dBA at 50 feet from the sound source, to present amplified sound for the 2023 PurpleStride at 200 Dr Justus Ohage Blvd - Harriet Island Regional Park; and

WHEREAS, applicant has requested a variance for the hours from 8:30 a.m. to 12:00 p.m. on Saturday, April 29, 2023 for the 2023 PurpleStride event, with a pre-event sound check at 1:00 p.m. on Friday, April 28, 2023; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 200 Dr Justus Ohage Blvd - Harriet Island Regional 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 Pancreatic Cancer Action Network c/o Event360, Inc, subject to the following conditions:

- 1) The Variance shall be for the hours from 8:30 a.m. to 12:00 p.m. on Saturday, April 29, 2023 with a pre-event sound check at 1:00 p.m. on Friday, April 28, 2022 for the 2023 PurpleStride event.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 92 dBA at 50 feet from all sound sources on Saturday, April 29, 2023 and shall not exceed 85 dBA at 50 feet on Friday, April 28, 2023 for the pre-event sound check.
- 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 12:00 p.m. on Saturday, April 29, 2023, the event date and no later than 4:00 p.m. on Friday, April 28, 2023 during the event pre-check.

FURTHER RESOLVED, that any violations of the conditions set forth above on the April 28, 2023 and April 29, 2023 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Pancreatic Cancer Action Network c/o Event360, Inc, represented by Kayla Leibfried, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 8:30 a.m. to 12:00 p.m. on Saturday, April 29, 2023 event, with a pre-event sound check at 1:00 p.m. on Friday, April 28, 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