



Legislation Details (With Text)

File #: RES PH 17- 152 **Version:** 1

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

In control: City Council

Final action: 6/21/2017

Title: Approving the application of Wanderlust Festival LLC for a sound level variance in order to present announcements and amplified music on Friday, June 30 and Saturday, July 1, 2017 during Wanderlust 108 at Harriet Island.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

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

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------|---------|--------|
| 6/26/2017 | 1 | Mayor's Office | Signed | |
| 6/21/2017 | 1 | City Council | Adopted | Pass |

Approving the application of Wanderlust Festival LLC for a sound level variance in order to present announcements and amplified music on Friday, June 30 and Saturday, July 1, 2017 during Wanderlust 108 at Harriet Island.

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, Wanderlust Festival, LLC, represented by Brian Preyers, Event Manager, who has been designated as the responsible person on the application, has applied for a variance, with a requested sound level limit of 95-100 decibels (dBA) at no specified distance to present announcements and amplified music at Harriet Island; and

WHEREAS, applicant is seeking a variance for the hours of 2:00 p.m. to 5:00 p.m. on Friday, June 30 and 7:30 a.m. to 3:30 p.m. Saturday, July 1, 2017, during Wanderlust 108 at Harriet Island; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present announcements and amplified music at Harriet Island; 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 Wanderlust Festival, LLC, subject to the following conditions:

- 1) The variance shall be for the hours of 2:00 p.m. to 5:00 p.m. on Friday, June 30 and 7:30 a.m. to 3:30 p.m.

Saturday, July 1, 2017.

2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured 50 feet from sound source.

3) The applicant shall provide personnel and equipment to ensure compliance with the sound level variance conditions. The applicant may need to provide a barrier, to act as a sound absorber to contain excess sound from leaving the area.

4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 5:00 p.m. on Friday, June 30 and 3:30 p.m. on Saturday, July 1, 2017.

FURTHER RESOLVED, that any violations of the conditions set forth above on the first date may result in revocation of the grant of a variance for the subsequent date, in addition to any criminal citation which might issue.

Wanderlust Festival, LLC, represented by Brian Preyers, Event Manager, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present announcements and amplified music, with limitations, from 2:00 p.m. to 5:00 p.m. on Friday, June 30 and 7:30 a.m. to 3:30 p.m. Saturday, July 1, 2017, during Wanderlust 108 at Harriet Island. 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