



Legislation Details (With Text)

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In control: City Council

Final action: 8/28/2019

Title: Approving the application of Minnesota Recovery Connection for a sound level variance for the Walk for Recovery Event on Saturday, September 14, 2019 at the Upper and Lower Malls of the State Capitol.

Sponsors: Rebecca Noecker

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Code sections:

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

Date	Ver.	Action By	Action	Result
8/29/2019	1	Mayor's Office	Signed	
8/28/2019	1	City Council	Adopted	Pass

Approving the application of Minnesota Recovery Connection for a sound level variance for the Walk for Recovery Event on Saturday, September 14, 2019 at the Upper and Lower Malls of the State Capitol.

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, Minnesota Recovery Connection, represented by Wendy Freshman, Event Coordinator, has applied for a variance for Saturday, September 14, 2019 at the Upper and Lower Malls of the State Capitol; and

WHEREAS, applicant has requested a variance for the hours of 9:00 a.m. to 2:30 p.m., with a pre-event sound check at 9:00 a.m., and a requested sound level limit of 80 dBA at no specified distance on Saturday, September 14, 2019; and

WHEREAS, if applicant is not granted a variance applicant will not be able to have the event at the Upper and Lower Malls of the State Capitol; 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 Minnesota Recovery Connection, for the Walk for Recovery Event subject to the following conditions:

1) The Variance shall be for the hours of 9:00 a.m. to 2:30 p.m. with a pre-event sound check at 9:00 a.m., on Saturday, September 14, 2019.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 80 dBA as measured 50 feet from any sound source including equipment used for speaker announcements.
- 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 2:30 p.m. on the event date.

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

Minnesota Recovery Connection, represented by Wendy Freshman, has requested an exemption from the sound level limitations in Chapter 293.07 for Saturday, September 14, 2019, from 9:00 a.m. to 2:30 p.m., with a pre-event sound check at 9:00 a.m. at the Upper and Lower Malls of the State Capitol for the Walk for Recovery Event. 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