



Legislation Details (With Text)

File #: RES PH 24-19 **Version:** 1
Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 2/7/2024

Title: Approving the application of FrankieBird Productions/Visit Saint Paul for a sound level variance in order to present amplified sound for Heavy Metal on February 10, 2024 at 75 Rev Dr Martin Luther King Jr Blvd - Minnesota State Capitol Grounds.

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
2/14/2024	1	Mayor's Office	Signed	
2/7/2024	1	City Council	Adopted	Pass

Approving the application of FrankieBird Productions/Visit Saint Paul for a sound level variance in order to present amplified sound for Heavy Metal on February 10, 2024 at 75 Rev Dr Martin Luther King Jr Blvd - Minnesota State Capitol Grounds.

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, FrankieBird Productions/Visit Saint Paul, represented by Oren Tanzer and Bridget McCoy, President and Director of Client Engagement, who have been designated as the responsible persons on the application, has applied for a variance, for a requested sound level limit of 80 dBA at no specified distance from the sound source, to present amplified sound at 75 Rev Dr Martin Luther King Jr - Minnesota State Capitol Grounds; and

WHEREAS, applicant has requested a variance for the hours of 2:00 p.m. to 7:00 p.m., with a pre-event sound check from 11:00 a.m. on Saturday February 10, 2024 for the Heavy Metal event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 75 Rev Dr Martin Luther King Jr Blvd _ Minnesota State Capitol Grounds; 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 FrankieBird Productions/Visit Saint Paul, subject to the following conditions:

- 1) The Variance shall be for the hours of 2:00 p.m. to 7:00 p.m., with a pre-event sound check from 11:00 a.m. on Saturday, February 10, 2024.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 80 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 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 7:00 p.m. February 10, 2024, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the February 10, 2024 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

FrankieBird Productions/Visit Saint Paul, represented by Oren Tanzer and Bridget McCoy, President and Director of Client Engagement, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 2:00 p.m. to 7:00 p.m., with a pre-event sound check from 11:00 a.m. on Saturday February 10, 2024. 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