



## Legislation Details (With Text)

**File #:** RES PH 14- 98      **Version:** 1

**Type:** Resolution-Public Hearing      **Status:** Passed  
**In control:** City Council  
**Final action:** 4/16/2014

**Title:** Approving the application of the March of Dimes, March for Babies Event for a sound level variance in order to present amplified music on a stage at the Como Park Midway Pavilion Ball Field Area, at a charitable walk event on Saturday, April 26, 2014 from 8:30 a.m. to 2:00 p.m.

**Sponsors:** Amy Brendmoen

**Indexes:** Ward - 5

**Code sections:**

**Attachments:** 1. Application, 2. ENS, 3. Map, 4. District Council Notification, 5. Property Owner Notification, 6. List of Property Owners, 7. Letter to Applicant, 8. March for Babies 2014 Como Lake Response Ltr7

| Date      | Ver. | Action By      | Action  | Result |
|-----------|------|----------------|---------|--------|
| 4/21/2014 | 1    | Mayor's Office | Signed  |        |
| 4/16/2014 | 1    | City Council   | Adopted | Pass   |

Approving the application of the March of Dimes, March for Babies Event for a sound level variance in order to present amplified music on a stage at the Como Park Midway Pavilion Ball Field Area, at a charitable walk event on Saturday, April 26, 2014 from 8:30 a.m. to 2:00 p.m.

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, March of Dimes, March for Babies Event, represented by Abby Walker, MFB Event Coordinator, who has been designated as the responsible person on the application, has applied for a variance to present amplified music on a stage at the Como Park Midway Pavilion Ball Field Area during a charitable walk event; and

WHEREAS, applicant is seeking a variance for the hours of 8:30 a.m. to 2:00 p.m. on Saturday, April 26, 2014; and

WHEREAS, if applicant is not granted a variance it will not be able to present amplified music on a stage at the Como Park Midway Pavilion Ball Field Area; 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 March of Dimes, subject to the following conditions:

- 1) The variance shall be for the hours of 8:30 a.m. to 2:00 p.m. on April 26, 2014.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA, as measured at 50 feet from the noise source.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at all stages and 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 2:00 p.m. on April 26, 2014.

FURTHER RESOLVED, that any violations of the conditions set forth above on the April 26, 2014 event date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

March of Dimes, March for Babies Event, Inc., represented by Abby Walker, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music, with limitations, from 8:30 a.m. to 2:00 p.m. on Saturday, April 26, 2014 on the stage in the Como Park Midway Pavilion Ball Field Area during a charitable walk 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