



Legislation Details (With Text)

**File #:** RES PH 24- 90      **Version:** 1

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

**In control:** City Council

**Final action:** 5/1/2024

**Title:** Approving the application of The United Hmong Family, Inc. for a sound level variance in order to present amplified sound on June 29 and 30, 2024 at 1151 Jessamine Ave W - McMurray Fields.

**Sponsors:** Mitra Jalali

**Indexes:** Ward - 4

**Code sections:**

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

Date	Ver.	Action By	Action	Result
5/8/2024	1	Mayor's Office	Signed	
5/1/2024	1	City Council	Adopted	Pass

Approving the application of The United Hmong Family, Inc. for a sound level variance in order to present amplified sound on June 29 and 30, 2024 at 1151 Jessamine Ave W - McMurray Fields.  
 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, The United Hmong Family Inc., represented by Mee Vang, Board President, who has been designated as the responsible person on the application, has applied for a variance, for 120 dBA at no specified distance, to present amplified sound for the Hmong International Freedom Festival at 1151 Jessamine Ave W - McMurray Fields.; and

WHEREAS, applicant has requested a variance for the hours of 8:00 a.m. to 9:00 p.m. on June 29 and June 30, 2024 with a pre-event sound check on June 28, 2024 for the Hmong International Freedom Festival; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 1151 Jessamine Ave W - McMurray Fields.; 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 The United Hmong Family, Inc., subject to the following conditions:

- 1) The Variance shall be for the hours from of 8:00 a.m. to 9:00 p.m. on Saturday, June 29 and Sunday, June 30, 2024 with a pre-event sound check on Friday, June 28, 2024 for the Hmong International Freedom Festival.

2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA at 50 feet from any stage and shall not exceed 80 dBA at 50 feet from any sound source between 11:00 a.m. and 5:00 p.m. during the pre-event sound check on June 28, 2024.

3) All electronically powered equipment, PA systems, loudspeakers, or similar devices used in the merchandise areas, on or near the sporting field events, must not exceed 75 dBA as measured at the nearest residential receiver. All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 9:00 p.m. on June 29 and 30, 2024, the event dates.

4) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at each sound source during the hours of the variance.

FURTHER RESOLVED, that any violations of the conditions set forth above on the June 29 and 30, 2024 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

The United Hmong Family, Inc., represented by Board President, Mee Vang, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 8:00 a.m. to 9:00 p.m. on June 29 and 30, 2024 with a pre-event sound check on June 28, 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