



## Legislation Details (With Text)

**File #:** RES PH 13- 115 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 6/5/2013

**Title:** Approving the application of The Minnesota Opera for a sound level variance in order to present amplified music for an event on June 14, 2013 from 7:00 p.m. through 9:00 p.m. on the Target Stage at Harriet Island.

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:** 1. MN Opera Application.pdf, 2. MN Opera Property Owner List.pdf, 3. MN Opera MN Opera - District Councils 3 9 17 Notification Letter.pdf, 4. ENS MN Opera.pdf, 5. MN Opera Map.pdf, 6. MN Opera Applicant Notification.pdf, 7. MN Opera Notice Example.pdf

Date	Ver.	Action By	Action	Result
6/7/2013	1	Mayor's Office	Signed	
6/5/2013	1	City Council	Adopted	Pass

Approving the application of The Minnesota Opera for a sound level variance in order to present amplified music for an event on June 14, 2013 from 7:00 p.m. through 9:00 p.m. on the Target Stage 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, Minnesota Opera, represented by Alexander Farino, Production Stage Manager, who has been designated as the responsible person on the application, has applied for a variance to present amplified music on the Target Stage at Harriet Island; and

WHEREAS, applicant is seeking a variance for the hours of 7:00 p.m. to 9:00 p.m. on June 14, 2013.; and

WHEREAS, if applicant is not granted a variance it will not be able to present amplified music on Target Stage 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 Minnesota Opera, subject to the following conditions:

1) The variance shall be for the hours of 7:00 p.m. to 9:00 p.m. on June 14, 2013.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 95 dBA as measured 50 feet from the sound source.
- 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 9:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the June 14, 2013 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Minnesota Opera, represented by Alexander Farino, Production Stage Manager, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music, with limitations, from 7:00 p.m. to 9:00 p.m. on June 14, 2013 on the Target Stage 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