



Legislation Details (With Text)

File #: RES PH 17-6 **Version:** 1
Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 1/4/2017

Title: Approving the application of Hangman Productions, Inc. for a sound level variance in order to allow 24/7 operation of chillers and generators, beginning Monday, January 9, 2017 through Friday, February 10, 2017, and the use of an amplified sound system for the Red Bull Crashed Ice Event, to be held on Thursday, February 2, 2017 through Saturday, February 4, 2017.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

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

Date	Ver.	Action By	Action	Result
1/6/2017	1	Mayor's Office	Signed	
1/4/2017	1	City Council	Adopted	Pass

Approving the application of Hangman Productions, Inc. for a sound level variance in order to allow 24/7 operation of chillers and generators, beginning Monday, January 9, 2017 through Friday, February 10, 2017, and the use of an amplified sound system for the Red Bull Crashed Ice Event, to be held on Thursday, February 2, 2017 through Saturday, February 4, 2017.

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, Hangman Productions, Inc., represented by Andrew Markey, President/Event Producer, who has been designated as the responsible person on the application, has applied for a variance for the Red Bull Crashed Ice event. The applicant is seeking a variance to be able to operate chillers and generators 24/7 beginning Monday, January 9, 2017 through Friday, February 10, 2017 to allow for track preparation, the event and track removal. The applicant would also like to use an amplified sound system between the hours of 4:00 p.m. and 9:30 p.m. on Thursday, February 2, 2017 through Saturday, February 4, 2017, with pre-event sound check at 2:00 p.m. on Thursday, February 2, 2017. The noise sources will be on the event grounds, located along John Ireland Boulevard, in or near North Cathedral Hill Park, Monument Park, Cathedral Hill Park, South Cathedral Hill Park and Arch Park. The applicant has indicated that all chillers and generators will be limited to 80 dBA as measured 15 feet from the sound source, beginning Monday, January 9, 2017 through Friday, February 10, 2017 and that the amplified sound system, with multiple speaker locations, will be limited to 95 dBA as measured 80 feet from the speakers on Thursday, February 2, 2017 through Saturday, February 4, 2017; and

WHEREAS, if applicant is not granted a variance, they will not be able to operate the chillers, generators, and provide the music and announcements necessary for the event; 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 Hangman Productions, Inc., subject to the following conditions:

- 1) The variance shall be for the 24/7 operation of chillers and generators beginning on Monday, January 9, 2017 through Friday, February 10, 2017 and for the use of an amplified sound system, with multiple speakers, during the event to be held on Thursday, February 2, 2017 through Saturday, February 4, 2017 from 4:00 p.m. to 9:30 p.m., with a pre-event sound check at 2:00 p.m. on Thursday, February 2, 2017.
- 2) Sound levels will not exceed 95 dBA measured 80 feet in any direction from the sound source during the Event.
- 3) The applicant will provide personnel and equipment to monitor sound levels during the event, on Thursday, February 2, 2017 through Saturday, February 4, 2017 to ensure compliance with these conditions.
- 4) All PA systems, loudspeakers or similar devices shall be turned off no later than 9:30 p.m. on February 2, 2017 through February 4, 2017.

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

Hangman Productions, represented by Andrew Markey, President, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present the 2017 Red Bull Crashed Ice Event from February 2, 2017 through February 4, 2017. Applicant has requested the sound level variance at the following locations: event grounds, located along John Ireland Boulevard, in or near North Cathedral Hill Park, Monument Park, Cathedral Hill Park, South Cathedral Hill Park and Arch Park. The applicant has indicated that the sound level variance is requested from 4:00 p.m. to 9:30 p.m. for the Event, with a pre-event sound check at 2:00 p.m. on Thursday, February 2, 2017. The applicant has also requested a variance for the 24/7 operation of chillers and generators beginning on Monday, January 9, 2017 through Friday, February 10, 2017. Noise sources will be located at the above specified locations. 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