



Legislation Details (With Text)

File #: RES PH 14- 197 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 7/23/2014

Title: Approving the application of Podium Sports Marketing for a sound level variance in order to present amplified music and announcements at the east end of Upper Landing Park and an area west of Eagle Street on Shepard Road, on Saturday, August 2, 2014 from 7:15 a.m. to 11:30 a.m., for the In-Line Marathon.

Sponsors: Dave Thune

Indexes: Ward - 2

Code sections:

Attachments: 1. Application, 2. Map, 3. ENS, 4. Notice to District Council, 5. Notice to Property Owners, 6. Property Owner List, 7. Letter to Applicant, 8. Opposition to Podium sports variance

Date	Ver.	Action By	Action	Result
7/30/2014	1	Mayor's Office	Signed	
7/23/2014	1	City Council	Adopted	Pass

Approving the application of Podium Sports Marketing for a sound level variance in order to present amplified music and announcements at the east end of Upper Landing Park and an area west of Eagle Street on Shepard Road, on Saturday, August 2, 2014 from 7:15 a.m. to 11:30 a.m., for the In-Line Marathon.

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, Podium Sports Marketing, represented by Marilyn Franzen, who has been designated as the responsible person on the application, has applied for a variance to present amplified music and announcements at the Start at the East End of Upper Landing Park and Finish at Area West of Eagle Street on Shepard Road, for the In Line Marathon on Saturday, August 2, 2014; and

WHEREAS, if applicant is not granted a variance it will not be able to present the amplified music or announcements at the Start at the East End of Upper Landing Park and Finish at Area West of Eagle Street on Shepard Road for the In Line Marathon; 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 sound level variance to Podium Sports Marketing, subject to the following conditions:

1. The variance will be for the In Line Marathon located at the Start at the East End of Upper

Landing Park and Finish at Area West of Eagle Street on Shepard Road on August 2, 2014 from 7:15 a.m. to 11:30 a.m.

2. All electronically powered equipment, PA system, loudspeaker or any similar device used in conjunction with the event, will not exceed 80 dBA, as measured 50 feet from any stage or sound source.
3. The applicant shall provide personnel and equipment to ensure compliance with the variance conditions.
4. All electronically powered equipment, PA systems, loudspeakers or similar devices will be turned off by 11:30 a.m. on August 2, 2014.
5. A copy of this sound level variance must be maintained at the event location and be available for review by the City of Saint Paul Police or inspection personnel.

FURTHER RESOLVED, that any violations of the conditions set forth above on any of the dates may result in revocation of the grant of a variance for the subsequent date(s), in addition to any criminal citation which might issue.

Podium Sports Marketing, represented by Marilyn Franzen, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music and announcements at the East End of Upper Landing Park and Finish Area West of Eagle Street on Shepard Road, for the In Line Marathon on Saturday, August 2, 2014 from 7:15 a.m. to 11:30 a.m. 4. 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