



Legislation Details (With Text)

File #: RES PH 17-2 **Version:** 1
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In control: City Council
Final action: 1/4/2017

Title: Approving the application of the Saint Paul Festival & Heritage Foundation for a sound level variance for the 2017 Saint Paul Winter Carnival from January 26, 2017 through February 5, 2017 in Rice Park.

Sponsors: Rebecca Noecker

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Code sections:

Attachments: 1. Application, 2. ENS, 3. Map, 4. Notice to Property Owners, 5. List of Property Owners, 6. Letter to Applicant, 7. Anderson email

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 the Saint Paul Festival & Heritage Foundation for a sound level variance for the 2017 Saint Paul Winter Carnival from January 26, 2017 through February 5, 2017 in Rice Park.

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 Saint Paul Festival & Heritage Foundation, represented by Rosanne Bump, CEO, who has been designated as the responsible person on the application, has applied for a variance, with a requested sound level limit of 95 dBA at 100 feet to present amplified music and entertainment on a stage located in Rice Park, from January 26, 2017 through February 5, 2017; and

WHEREAS, if applicant is not granted a variance, applicant will not be able to present the amplified music or entertainment in Rice Park; 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 St. Paul Festival & Heritage Foundation, subject to the following conditions:

1. The variance will be for the Saint Paul Winter Carnival located in Rice Park for the following dates and times:
 - a. Thursday, January 26, 2017 from 11:00 AM to 10:00 PM;
 - b. Friday, January 27, 2017 from 9:00 AM to 10:00 PM;
 - c. Saturday, January 28, 2017 from 9:00 AM to 10:00 PM;

- d. Sunday, January 29, 2017 from 9:00 AM to 10:00 PM;
 - e. Monday, January 30, 2017 from 11:00 AM to 10:00 PM;
 - f. Tuesday, January 31, 2017 from 11:00 AM to 10:00 PM;
 - g. Wednesday, February 1, 2017 from 11:00 AM to 10:00 PM;
 - h. Thursday, February 2, 2017 from 9:00 AM to 10:00 PM;
 - i. Friday, February 3, 2017 from 9:00 AM to 10:00 PM;
 - j. Saturday, February 4, 2017 from 9:00 AM to 10:00 PM; and
 - k. Sunday, February 5, 2017 from 9:00 AM to 10:00 PM.
2. All electronically powered equipment used in conjunction with the event, will not exceed 90 dBA, as measured 50 feet from any stage, PA system, loudspeaker or any similar device.
3. The applicant shall provide personnel and equipment to conduct continuous sound level monitoring during the event.
4. Except for the days and hours indicated in condition number 1, all electronically powered equipment, PA systems, loudspeakers or similar devices will comply with the sound level limits indicated in Chapter 293 of the Saint Paul Legislative Code.

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.