



Legislation Text

File #: RES PH 15-294, **Version:** 1

Approving the application of Podium Sports Marketing's for a sound level variance in order to present amplified music and announcements on Shepard Road near Chestnut, Walnut and Elm, for the Turkey Trot Saint Paul Event on Thursday, November 26, 2015.

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 on Shepard Road between Walnut and Chestnut for the Event Start, and between Elm and Walnut on Shepard Road for the Event Finish, for the Turkey Trot Saint Paul Event on Thursday, November 26, 2015; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present the amplified music or announcements on Shepard Road by Chestnut, Walnut and Elm Streets; 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 Turkey Trot Saint Paul Event located on Shepard Road between Walnut and Chestnut for the Event Start, and on Shepard Road between Elm and Walnut for the Event Finish on November 26, 2015 from 7:10 a.m. to 10:00 a.m.
- 2) All electronically powered equipment, PA system, loudspeaker or any similar device used in conjunction with the event, will not exceed 85 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 10:00 a.m. on November 26, 2015.
- 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 on Shepard Road between Walnut and Chestnut for the Event Start and on Shepard Road between Elm and Walnut for the Event Finish, for the Turkey Trot Saint Paul Event on Thursday, November 26, 2015 from 7:10 a.m. to 10:00 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