



## Legislation Text

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**File #:** RES PH 14-213, **Version:** 1

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Approving the application of Team Ortho Foundation for a sound level variance in order to present outdoor iPod music and amplified announcements at the Women ROCK Event on Saturday, August 30, 2014 on Mississippi River Boulevard, south of Ford Parkway near the Lock and Dam No. 1 Site.

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, Team Ortho Foundation, Women ROCK Event, represented by Dawn Roberts, Women ROCK Race Director, who has been designated as the responsible person on the application, has applied for a variance to present outdoor iPod music and microphone speaking at the Mississippi River Blvd, South of Ford Pkwy near Lock and Dam No. 1 Site during a Women ROCK Event; and

WHEREAS, applicant is seeking a variance for the 8:00 a.m. to 10:00 a.m. on Saturday, August 30, 2014, and

WHEREAS, if applicant is not granted a variance it will not be able to present outdoor music and microphone speaking at the Mississippi River Blvd, South of Ford Pkwy near Lock and Dam No. 1 Site; 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 Dawn Roberts and Team Ortho Foundation, for the following race event location, Mississippi River Blvd, South of Ford Pkwy near Lock and Dam No. 1, and subject to the following conditions:

1. Sound levels shall be limited to 85 dBA as measured 50 feet from noise source.
2. Speakers and stage must be directed away from residential use properties. Speakers are to be placed facing the river.
3. Variance will be for the hours of 8:00 a.m. to 10:00 a.m. on August 30, 2014.
4. All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 10:00 a.m.

FURTHER RESOLVED, that any violations of the conditions set forth above on the August 30, 2014 event date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Team Ortho Foundation, Women ROCK Event, represented by Dawn Roberts, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present outdoor music and microphone speaking, with limitations, at the Mississippi River Blvd, South of Ford Pkwy near Lock and Dam No. 1 Site, and to be used from 8:00 a.m. to 10:00 a.m. on Saturday, August 30, 2014, during a charitable Women ROCK Event. 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