



## Legislation Text

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**File #:** RES PH 17-195, **Version:** 1

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Approving Nomad Marketing's request for a sound level variance in order to present amplified music and announcements, at the intersection of Mackubin Street and Selby Avenue, for the Rondo Rush Bike Race on Saturday, July 22, 2017, from 8:00 a.m. to 4:00 p.m.

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, Nomad Marketing, represented by Jason Lardy, President, who has been designated as the responsible person on the application, has applied for a variance at a sound level limit of 105 dBA to present amplified music and announcements from 8:00 a.m. to 4:00 p.m., with a pre-event sound check at 7:50 a.m., at the intersection of Mackubin Street and Selby Avenue, for the Rondo Rush Bike Race on Saturday, July 22, 2017; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present the amplified music or announcements at the intersection of Mackubin Street and Selby Avenue; 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 Nomad Marketing, subject to the following conditions:

1. The variance will be for the Rondo Rush Bike Race at the intersection of Mackubin Street and Selby Avenue on Saturday, July 22, 2017 from 8:00 a.m. to 4:00 p.m., with a pre-event sound check at 7:50 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 4:00 p.m. on July 22, 2017.

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.

Nomad Marketing, represented by Jason Lardy, President, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music and announcements at the intersection of Mackubin Street and Selby Avenue for the Rondo Rush Bike Race on Saturday, July 22, 2017 from 8:00 a.m. to 4:00 p.m., with a pre-event sound check at 7:50 a.m. 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