



## Legislation Text

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**File #:** RES PH 24-117, **Version:** 1

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Approving the application of Ka Vang for a sound level variance in order to present amplified sound on June 8, 2024 and June 9, 2024 at 425 Rice St - parking lot.

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, Ka Vang, Event Coordinator, who has been designated as the responsible person on the application, has applied for a variance, at no specified sound level or specified distance to present amplified sound for the Asian Street Food Night Market at 425 Rice St - parking lot; and

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WHEREAS, applicant has requested a variance for the hours of 1:00 p.m. to 12:00 a.m. on June 8, 2024 and June 9, 2024 for the Asian Street Food Night Market; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 425 Rice St; 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 Ka Vang, subject to the following conditions:

- 1) The Variance shall be for the hours of 1:00 p.m. to 11:59 p.m. on Saturday, June 8, 2024, and from 1:00 p.m. until 10:00 p.m. on Sunday, June 9, 2024 for the Asian Street Food Night Market.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA at 50 feet from all sound sources on Saturday, June 8, 2024 from 1:00 p.m. until 10:59 p.m. and shall not exceed 80 dBA as measured at 50 feet from 11:00 p.m. until 11:59 p.m. On Sunday, June 9, 2024, all electronically powered equipment used in conjunction with the event shall not exceed 90dBA at 50 feet from 1:00 p.m. until 10:00 p.m.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at each sound source during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 11:59 p.m. on June 8, 2024, and no later than 10:00 p.m. on June 9, 2024, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the June 8, 2024 and June 9, 2024 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Ka Vang, Event Coordinator, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 1:00 p.m. to 12:00 a.m. on June 8, 2024 and June 9, 2024. 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