



## Legislation Text

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**File #:** RES PH 20-222, **Version:** 1

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Approving Monster Series LLC request for sound level variances in order to present amplified sound on Saturday, October 31, 2020 at Harriet Island and Upper Landing 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, Monster Series, LLC represented by Marlene Earll, Associate Director, who has been designated as the responsible person on the application, has applied for two (2) sound level variances at a requested sound level limit of 85 decibels (dBA) at no specified distance, to present amplified sound for the Monster Dash 2020 event: Harriet Island; and Upper Landing Park on Saturday, October 31, 2020, from 8:00 a.m. until 1:00 p.m. at Harriet Island as well as at Upper Landing Park, with a pre-event sound check at 7:45 a.m.; and

WHEREAS, if applicant is not granted the variances, applicant will not be able to present amplified sound at two (2) locations for the Monster Dash 2020 event; 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 Monster Series, LLC subject to the following conditions:

- 1) The Variance will be for Monster Dash 2020 to have announcements and music at the following two (2) specified locations: Harriet Island, as well as at Upper Landing Park, from 8:00 a.m. until 1:00 p.m., with a pre-event sound check at 7:45 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 no later than 1:00 p.m. on October 31, 2020.

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.

Monster Series, LLC represented by Marlene Earll, Associate Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide amplified music and announcements at two (2) locations along for Monster Dash 2020: Harriet Island; and Upper Landing Park on Saturday, October 31, 2020 from 8:00 a.m. until 1:00 p.m., with a pre-event sound check at 7:45 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