



Legislation Text

File #: RES PH 15-179, **Version:** 1

Approving the application of Minnesota People of Color LGBT Pride for a sound level variance in order to provide amplified music and the use of a sound system for music and announcements from 8:30 a.m. until 7:00 p.m., with a sound check at 8:45 a.m., on Sunday, August 16, 2015, during the Minnesota People of Color Intercultural Pride Festival Event 2015 at Raspberry Island 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, Minnesota People of Color LGBT Pride, represented by Raymel Givens, Board Chair, who has been designated as the responsible person on the application, has applied for a variance to provide amplified music and the use of a sound system for music and announcements at Raspberry Island Park; and

WHEREAS, applicant is seeking a variance from 8:30 a.m. until 7:00 p.m., with a Sound Check at 8:45 a.m. on Sunday, August 16, 2015 during the Minnesota People of Color Intercultural Pride Festival at Raspberry Island Park; and

WHEREAS, if applicant is not granted a variance they will not be able to provide the use of a sound system and amplified music at Raspberry Island Park; 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 Raymel Givens, Board Chair for Minnesota People of Color Intercultural Pride Festival Event at Raspberry Island Park subject to the following conditions:

- 1) The variance shall be for the hours of 8:30 a.m. until 7:00 p.m., with a Sound Check at 8:45 a.m. on Sunday, August 16, 2015.
- 2) All electronically powered equipment, PA systems, loudspeakers, or similar devices used in conjunction with the event must not exceed 85 dBA as measured 50 feet from the sound source.
- 3) The applicant will provide personnel and equipment to provide continuous sound level monitoring to ensure compliance with the sound level variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers, or similar devices will be aimed or located so they are facing away from residential use areas such as those across the river or the bluff area to the south.
- 5) All electronically powered equipment, PA systems, loudspeakers, or similar devices must be turned off no later than 7:00 p.m. on August 16, 2015.

6) The Minnesota People of Color LGBT Pride must maintain a copy of the approved sound level variance at the event location and have it available for review by the City of Saint Paul Police or inspection personnel.

FURTHER RESOLVED, that any violation of the conditions set forth above may result in revocation of the sound level variance, in denial of future requests for a sound level variance, in addition to any criminal citation which might issue.

Minnesota People of Color LGBT Pride, represented by Raymel Givens, Board Chair, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present outdoor music and announcements, with limitations, from 8:30 a.m. to 7:00 p.m., with a Sound Check at 8:45 a.m. on Sunday, August 16, 2015 during the Minnesota People of Color Intercultural Pride Festival at Raspberry Island Park. Chapter 293.09 provides for the granting of variances from the sound level limitation contained in Chapter 293.07.

Was proper notice given? YES - See Attachments