



## Legislation Text

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**File #:** RES PH 19-328, **Version:** 1

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Approving the application of Immune Deficiency Foundation for a sound level variance for outdoor music and announcements during the IDF Walk for Immunodeficiency on October 5, 2019 at Como 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, Immune Deficiency Foundation, represented by Mary Ann Nation-Greenwall, Development Manager, who has been designated as the responsible person on the application, has applied for a variance, with no specified sound level limit or distance, to present outdoor music and announcements at Como Park (Midway), Picnic Pavilion, during the IDF Walk for Immunodeficiency; and

WHEREAS, applicant is seeking a variance for the hours of 8:30 a.m. until 12:00 p.m., with a pre-event sound check at 8:15 a.m., on Saturday, October 5, 2019; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present outdoor music and announcements at Como 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 Anderson Race Management, subject to the following conditions:

- 1) The Variance shall be for the hours of 8:30 a.m. until 12:00 p.m., with a pre-event sound check at 8:10 a.m., on Saturday, October 5, 2019.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA, as measured at 50 feet from the noise source.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at all stages and each sound mix during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 12:00 p.m. on October 5, 2019.

FURTHER RESOLVED, that any violations of the conditions set forth above on the October 5, 2019 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.

Immune Deficiency Foundation, represented by Mary Ann Nation-Greenwall, Development Manager, 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 12:00 p.m. on Saturday, October 5, 2019 at Como Park during a IDF Walk for Immunodeficiency 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