



Legislation Text

File #: RES PH 17-158, **Version:** 1

Approving the application of Team Ortho Foundation for a sound level variance in order to present amplified music, a DJ, and announcements at Lower Landing Park, 200 Warner Road, for the Tiki Run on Saturday, July 15, 2017.

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, Team Ortho Foundation, represented by John Larson, Director, who has been designated as the responsible person on the application, has applied for a variance, at no specified sound level limit, to present amplified music, a DJ, and announcements at Lower Landing Park, 200 Warner Road, for the Tiki Run on Saturday, July 15, 2017; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present the amplified music, a DJ, and announcements at Lower Landing Park, 200 Warner Road; 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 Team Ortho Foundation, subject to the following conditions:

1. The variance will be for the Tiki Run with amplified sound with music and announcements from 7:00 a.m. to 12:00 p.m., with a pre-event sound check at 7:00 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 100 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 12:00 p.m. on July 15, 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.

Team Ortho Foundation, represented by John Larson, Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music, a DJ, and announcements at Lower Landing Park, 200 Warner Road, for the Tiki Run on Saturday, July 15, 2017 from 7:00 a.m. to 12:00 p.m., with a pre-event sound check at 7:00 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.