



Legislation Text

File #: RES PH 19-131, **Version:** 1

Approving the application of Special Olympics MN Summer Games for a sound level variance to present announcements and live music at O'Shaughnessy Stadium, 2115 Summit Avenue, June 20 through June 23, 2019.

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, Special Olympics MN, represented by Mark Anderson, who has been designated as the responsible person on the application, has applied for a variance with a requested sound level limit of 97 decibels (dBA) at 100 feet from the sound source, to present announcements and live music for the Special Olympics Summer Games from 9:00 a.m. to 6:00 p.m. on Thursday, June 20; 7:30 a.m. to 10:00 p.m. on Friday, June 21; and 7:30 a.m. to 6:00 p.m. on Saturday June 22 and Sunday, June 23, 2019; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present live music with a sound system at O'Shaughnessy Stadium, the University of St. Thomas, 2115 Summit Avenue; 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 the Ordway, subject to the following conditions:

1. The Variance will be for the Special Olympics Summer Games to be held at O'Shaughnessy Stadium, the University of Saint Thomas, 2115 Summit Avenue, from 9:00 a.m. to 6:00 p.m. on Thursday, June 20; 7:30 a.m. to 10:00 p.m. on Friday, June 21; and 7:30 a.m. to 6:00 p.m. on Saturday June 22 and Sunday, June 23, 2019. All electronically powered equipment, PA system, loudspeaker or any similar device used in conjunction with the event, will not exceed 90 dBA, as measured 50 feet from any stage or sound source used for music and/or announcements.
2. The applicant shall provide personnel and equipment to ensure compliance with the variance conditions.
3. All electronically powered equipment, PA systems, loudspeakers or similar devices will be turned off by 6:00 p.m. June 20, 10:00 p.m. on June 21, and 6:00 p.m. on June 22 and June 23, 2019.

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.

Special Olympics MN, represented by Mark Anderson, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present announcements and live music for the Special Olympics Summer Games from 9:00 a.m. to 6:00 p.m. on Thursday, June 20; 7:30 a.m. to 10:00 p.m. on Friday, June

21; and 7:30 a.m. to 6:00 p.m. on Saturday June 22 and Sunday, June 23, 2019. 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