



Legislation Text

File #: RES PH 17-131, **Version:** 1

Approving the application of GetKnit Events for a sound level variance in order to present outdoor music and announcements on Saturday, June 3, 2017 for Brunch-A-Palooza at 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, GetKnit Events, represented by Nicholas Blake, President, who has been designated as the responsible person on the application, has applied for a variance to present outdoor music and announcements at Upper Landing Park; and

WHEREAS, applicant is seeking a variance, at no specified sound level limit or distance, for the hours of 10:00 a.m. to 3:00 p.m. on Saturday, June 3, 2017, with a pre-event sound check at 10:00 a.m. on Friday, June 2, 2017 for amplified music and announcements at Upper Landing Park during Brunch-A-Palooza; and

WHEREAS, if applicant is not granted a variance, applicant will not be able to present outdoor music and announcements at Upper Landing 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 GetKnit Events, subject to the following conditions:

- 1) The variance will be for the GetKnit Events, Brunch-A-Palooza at Upper Landing Park for the hours of 10:00 a.m. to 3:00 p.m. on Saturday, June 3, 2017 and at 10:00 a.m. on Friday, June 2, 2017 for a pre-event sound check.
- 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 90 dBA as measured 50 feet from sound source.
- 3) The applicant will provide personnel and equipment to ensure compliance with the sound level variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 3:00 p.m. on the date of the event.

FURTHER RESOLVED, that any violations of the conditions set forth above, may result in denial of any future variances, in addition to any criminal citation which may be issued.

GetKnit Events, represented by Nicholas Blake, President, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present outdoor music and announcements, with limitations, from

10:00 a.m. to 3:00 p.m. on Saturday, June 3, 2017 and 10:00 a.m. on Friday, June 2, 2017 for a pre-event sound check during Brunch-A-Palooza at Upper Landing 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