



## Legislation Text

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**File #:** RES PH 14-336, **Version:** 1

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Approving the application of Hangman Productions, Inc. for a sound level variance in order to allow 24/7 operation of chillers and generators from Friday, December 26, 2014 through Friday, February 6, 2015; and the use of an amplified sound system for the Red Bull Crashed Ice International Ice Cross event, to be held on Wednesday, January 21, 2015 through Saturday, January 24, 2015 between 4:00 p.m. and 10:00 p.m., near a chilled ice track along John Ireland Boulevard, in or near North Cathedral Hill Park, Monument Park, Cathedral Hill Park, South Cathedral Hill Park and Arch 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, Hangman Productions, Inc., represented by Andrew Markey, President/Event Producer, who has been designated as the responsible person on the application, has applied for a variance for the Red Bull Crashed Ice event. The applicant is seeking a variance to be able to operate chillers and generators 24/7 beginning Friday, December 26, 2014 through Friday, February 6, 2015 to allow for track preparation, the event and track removal. The applicant would also like to use an amplified sound system between the hours of 4:00 p.m. and 10:00 p.m., on Wednesday, January 21, 2015 through Saturday, January 24, 2015. The noise sources will be on the event grounds, located along John Ireland Boulevard, in or near North Cathedral Hill Park, Monument Park, Cathedral Hill Park, South Cathedral Hill Park and Arch Park. The applicant has indicated that all chillers and generators will be limited to 80 dBA as measured 15 feet from the sound source, beginning Friday, December 26, 2014 through Friday, February 6, 2015 and that the amplified sound system, with multiple speaker locations, will be limited to 95 dBA as measured 80 feet from the speakers and operate on Wednesday, January 21, 2015 through Saturday, January 24, 2015; and

WHEREAS, if applicant is not granted a variance, they will not be able to operate the chillers, generators, and provide the music and announcements necessary for the event; 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 the Hangman Productions, Inc., subject to the following conditions:

- 1) The variance shall be for the 24/7 operation of chillers and generators beginning on Friday, December 26, 2014 through Friday, February 6, 2015 and for the use of an amplified sound system, with multiple speakers, during the event to be held on Wednesday, January 21, 2015 through Saturday, January 24, 2015 from 4:00 p.m. to 10:00 p.m.
- 2) Sound levels will not exceed 80 dBA measured 15 feet in any direction from the ice chillers and generators. Sound levels will not exceed 95 dBA measured 80 feet in any direction from any amplified sound system speaker.

3) The applicant will provide personnel and equipment to monitor speaker sound levels during the event, on Wednesday, January 21, 2015 through Saturday, January 24, 2015 and monitor the operation of generators and chillers starting Friday, December 26, 2014 through Friday, February 6, 2015 to ensure compliance with these conditions.

4) All PA systems, loudspeakers or similar devices shall be turned off no later than 10:00 p.m. on January 21, 2015 through January 24, 2015.

FURTHER RESOLVED, that any violation of the conditions set forth above may result in the denial of future requests for the grant of a noise variance, in addition to any criminal citation which may be issued.

Hangman Productions, Inc, represented by Andrew Markey, Owner/Event Producer, has requested an exemption from the sound level limitations in Chapter 293.07 in order to operate chillers and generators 24/7 from December 26, 2014 through February 6, 2015. Applicant also requested the use of an amplified sound system, with multiple speakers, during the event to be held on Wednesday, January 21, 2015 through Saturday, January 24, 2015 from 4:00 p.m. to 10:00 p.m. Noise sources will be located near a chilled ice track that will be located along John Ireland Boulevard, in or near North Cathedral Hill Park, Monument Park, Cathedral Hill Park, South Cathedral Hill Park and Arch Park. 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