



## Legislation Text

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**File #:** RES PH 14-95, **Version:** 1

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Approving the application of Viral Events for a sound level variance in order to provide amplified music and the use of a sound system for announcements from 8:00 a.m. until 12:30 p.m. on Saturday, April 26, 2014 during the Run or Dye, 5K fun run event at Harriet Island.

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, Viral Events, represented by Melanie Hansen, Event Manager, who has been designated as the responsible person on the application, has applied for a variance to provide amplified music and the use of a sound system at Harriet Island; and

WHEREAS, applicant is seeking a variance for the hours of 8:00 a.m. until 12:30 p.m. on Saturday, April 26, 2014 during the Run or Dye, 5K fun run event at Harriet Island; and

WHEREAS, if applicant is not granted a variance she will not be able to provide the use of a sound system and amplified music at Harriet Island; 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 Melanie Hansen, Event Manager for Viral Events for the Run or Dye, 5K fun run event at Harriet Island on Saturday, April 26, 2014 subject to the following conditions:

- 1) The variance shall be for the hours of 8:00 a.m. to 12:30 p.m. on Saturday, April 26, 2014.
- 2) All electronically powered equipment used in conjunction with the event must not exceed 85 dBA as measured:
  - a) At 50 feet from any speaker located at or near the start chute
  - b) At the stage sound mix or 50 feet from the stage, whichever is closer
- 3) The applicant will provide personnel and equipment to provide continuous sound level monitoring to ensure compliance with the sound level limit stated in condition number two (2).
- 4) All electronically powered equipment, PA systems, loudspeakers, or similar devices will be turned off no later than 12:30 p.m. on the event date.

FURTHER RESOLVED, that any violation of the conditions set forth above may result in revocation of the sound level variance, in denial of future requests for a sound level variance, in addition to any criminal citation which might issue.

Viral Events, represented by Melanie Hansen, Event Manager, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide the use of an amplified music and a sound system for announcements, with limitations, from 8:00 a.m. to 12:30 p.m., on Saturday, April 26, 2014 during the Run or Dye, 5K fun run event at Harriet Island. 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