



## Legislation Text

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**File #:** RES PH 24-132, **Version:** 1

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Approving the application of Breakaway Music Festival Inc. for a sound level variance in order to present amplified sound on June 28, and June 29, 2024 at 400 Snelling Avenue North - Allianz Field Grounds. 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, Breakaway Music Festival Inc., represented by Amy Dunn, Director of Festival Operations, who has been designated as the responsible person on the application, has applied for a variance, for 103 dBA at no specified distance, to present amplified sound for the Breakaway Music Festival 2024 - Minnesota at 400 Snelling Ave N - Allianz Fields grounds to the north and northeast of Allianz Field; and

WHEREAS, applicant has requested a variance for the hours from 4:00 p.m. to 11:00 p.m. on Friday, June 28, and Saturday June 28, 2024, with pre-event sound checks on Thursday, June 27 from 6:00 p.m. to 8:00 p.m. and from 12:00 p.m. until 4:00 p.m. on Friday, June 28 and Saturday, June 29, 2024 for the Breakaway Music Festival 2024 - Minnesota; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 400 Snelling Ave N - outside of Allianz Field; 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 Breakaway Music Festival Inc., subject to the following conditions:

- 1) The Variance shall be for the hours from 4:00 p.m. to 11:00 p.m. on Friday, June 28, and Saturday June 29, 2024 for the Breakaway Music Festival 2024- Minnesota.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 95 dBA as measured at 50 feet from all sound sources for the event hours of 4:00 p.m. until 11:00 p.m. and shall not exceed 85 dBA as measured at 50 feet from the sound sources during the pre-event sound check between the hours of 6:00 p.m. to 8:00 p.m. on Thursday, June 27 a.m. and from 12:00 p.m. until 4:00 p.m. on Friday, June 28 and Saturday, June 29, 2024.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at each sound source during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 11:00 p.m. on Friday, June 28, 2024 and Saturday, June 29,

2024, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the June 28 and June 29, 2024 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Breakaway Music Festival Inc., represented by Director of Festival Operations, Amy Dunn, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 4:00 p.m. to 11:00 p.m. on Friday, June 28, and Saturday, June 29, 2024. 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