



## Legislation Text

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**File #:** RES PH 14-297, **Version:** 1

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Approving the application of Team Ortho Foundation for a sound level variance in order to use a mobile DJ with speakers on Shepard Road between Homer and Elway Streets, for the Team Ortho Foundation Monster Dash 10-Mile Finish Area on Saturday, October 25, 2014 from 9:00 a.m. to 11:30 a.m.

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, Team Ortho Foundation, represented by Jackie Johnson, who has been designated as the responsible person on the application, has applied for a variance to use a Mobile DJ with Speakers on Shepard Road between Homer and Elway Streets, for the Team Ortho Foundation Monster Dash 10-Mile Finish Area on Saturday, October 25, 2014; and

WHEREAS, if applicant is not granted a variance it will not be able to use a Mobile DJ with Speakers on Shepard Road between Homer and Elway Streets; 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 Team Ortho Foundation, subject to the following conditions:

1. The variance will be for the Team Ortho Foundation Monster Dash 10-Mile Finish Area on Shepard Road between Homer and Elway Streets on October 25, 2014 from 9:00 a.m. to 11:30 a.m.
2. All electronically powered equipment, PA system, loudspeaker or any similar device used in conjunction with the event, will not exceed 80 dBA, as measured 50 feet from any stage or sound source.
3. The applicant shall provide personnel and equipment to ensure compliance with the variance conditions.
4. All electronically powered equipment, PA systems, loudspeakers or similar devices will be turned off by 11:30 a.m. on October 25, 2014.
5. A copy of this sound level variance must be maintained at the event location and be available for review by the City of Saint Paul Police or inspection personnel.

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.

Team Ortho Foundation, represented by Jackie Johnson, has requested an exemption from the sound level limitations in Chapter 293.07 in order to use a Mobile DJ with Speakers on Shepard Road between Homer and Elway Streets, for the Team Ortho Foundation Monster Dash 10-Mile Finish Area on Saturday, October 25, 2014 from 9:00 a.m. to 11:30 a.m. 4. 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