



## Legislation Text

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**File #:** RES PH 11-990, **Version:** 1

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Approving the application of Sarah VanSickle for a sound level variance in order to provide amplified music and the use of a P.A. sound system from 9:00 a.m. until 10:00 p.m. on August 12, 13, & 14, 2011 during the Irish Fair of MN 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, Irish Fair of MN, represented by Sarah VanSickle, Executive Director, who has been designated as the responsible person on the application, has applied for a variance to provide use of P. A. amplified sound at Harriet Island; and

WHEREAS, applicant is seeking a variance for the hours of 9:00 a.m. until 10:00 p.m. on August 12, 13, & 14, 2011 during the Irish Fair of MN at Harriet Island; and

WHEREAS, if applicant is not granted a variance it will not be able to provide the use of P. 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 Sarah VanSickle, subject to the following conditions:

- 1) The variance shall be for the hours of 9:00 a.m. until 10:00 p.m. on August 12, 13, & 14, 2011 during the Irish Fair of MN at Harriet Island.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 100 dBA as measured at 100 feet from the sound source.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at each sound mix during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 10:00 p.m. on the event dates.

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 noise variance for the subsequent date(s), in addition to any criminal citation which might issue.

Irish Fair of MN, represented by Sarah VanSickle, Executive Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide the use of an amplified P. A. system, with

limitations, from 9:00 a.m. to 10:00 p.m. on August 12, 13, & 14, 2011 during the Irish Fair of MN 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