



## Legislation Details (With Text)

**File #:** RES PH 13-1 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 1/2/2013

**Title:** Approving the application of Hangman Productions, Inc for a sound level variance in order to allow operation of chillers and generators from January 3, 2013 through February 4, 2013, and to allow the use of an amplified sound system for the events on January 23 through January 26, 2013.

**Sponsors:** Melvin Carter III

**Indexes:**

**Code sections:**

**Attachments:** 1. Red Bull 2013 Applicant Notification Letter.pdf, 2. Red Bull 2013 District Councils 8 & 17 Notification Letters.pdf, 3. Red Bull 2013 Property Owner List.pdf, 4. Red Bull 2013 Property Owner Example.pdf, 5. Red Bull 2013 SLV Application.pdf, 6. Red Bull 2013 ENS.pdf, 7. Red Bull 2013 Map.pdf

Date	Ver.	Action By	Action	Result
1/4/2013	1	Mayor's Office	Signed	
1/2/2013	1	City Council	Adopted	Pass

Approving the application of Hangman Productions, Inc for a sound level variance in order to allow operation of chillers and generators from January 3, 2013 through February 4, 2013, and to allow the use of an amplified sound system for the events on January 23 through January 26, 2013.

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, Owner/Event Producer, who has been designated as the responsible person on the application, has applied for a variance to allow 24/7 operation of chillers and generators from January 3, 2013 through February 4, 2013, and the use of an amplified sound system for the events on January 23, 2013 through January 26, 2013. Noise sources will be located near an enclosed track that will run from the open space to the North of the St. Paul Cathedral and East of 231 Dayton Avenue and terminate in the park area near the intersection of Old Kellogg Blvd and College Ave. The recommendation is all speaker locations will be limited to 95 dBA as measured 80 feet from the sound source January 23, 2013 through January 26, 2013; chillers and generators will be limited to 80 dBA as measured 15 feet from the sound source from January 3, 2013 through February 4, 2013. All speakers will be directed toward the track; and

WHEREAS, applicant is seeking a variance for 24/7 operation of chillers and generators from January 3, 2013 through February 4, 2013, and the use of an amplified sound system for the events on January 23, 2013 through January 26, 2013 from 5:00 p.m. to 10:00 p.m.; and

WHEREAS, if applicant is not granted a variance it will not be able to present the use of chillers, generators,

and music; 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 24/7 operation of chillers and generators from January 3, 2013 through February 4, 2013, and the use of an amplified sound system for the events on January 23, 2013 through January 26, 2013 from 5:00 p.m. to 10:00 p.m.
- 2) All equipment used in conjunction with the event shall not allow the ice chillers and generators to exceed a sound level of 80 dBA at approximately 15 feet from sources; speakers will be limited to 95 dBA as measured 80 feet from the sound source.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring during the event, January 23, 2013 through January 26, 2013.
- 4) All PA systems, loudspeakers or similar devices shall be turned off no later than 10:00 p.m. on January 23, 2013 through January 26, 2013.

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.

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 24/7 operation of chillers and generators from January 3, 2013 through February 4, 2013, and the use of an amplified sound system for the events on January 23, 2013 through January 26, 2013 from 5:00 p.m. to 10:00 p.m. Noise sources will be located near an enclosed track that will run from the open space to the North of the St. Paul Cathedral and East of 231 Dayton Avenue and terminate in the park area near the intersection of Old Kellogg Blvd and College Ave. 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