



Legislation Details (With Text)

File #: RES PH 13- 296 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 11/20/2013

Title: Approving the application of Ashleigh Shapiro for a sound level variance in order to provide amplified music and the use of a sound system from 10:00 a.m. until 2:30 p.m. on November 30, 2013 during the Ugly Sweater Run at Harriet Island.

Sponsors: Dave Thune

Indexes: Ward - 2

Code sections:

Attachments: 1. Ugly Sweater Run SLV Application.pdf, 2. Ugly Sweater Run ENS.pdf, 3. Ugly Sweater Run Applicant Letter.pdf, 4. Ugly Sweater Run DC 3, 9 & 17 Notification.pdf, 5. Ugly Sweater Run Map.pdf, 6. Ugly Sweater Run Property Owner List.pdf, 7. Ugly Sweater Run Example.pdf

Date	Ver.	Action By	Action	Result
11/25/2013	1	Mayor's Office	Signed	
11/20/2013	1	City Council	Adopted	Pass

Approving the application of Ashleigh Shapiro for a sound level variance in order to provide amplified music and the use of a sound system from 10:00 a.m. until 2:30 p.m. on November 30, 2013 during the Ugly Sweater Run 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, Human Movement Management LLC, represented by Ashleigh Shapiro, Sponsor Coordinator, who has been designated as the responsible person on the application, has applied for a variance to provide amplified sound at Harriet Island; and

WHEREAS, applicant is seeking a variance for the hours of 10:00 a.m. until 2:30 p.m. on November 30, 2013 during the Ugly Sweater Run 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 Ashleigh Shapiro, Human Movement Management at Harriet Island on November 30, 2013 subject to the following conditions:

1) The variance shall be for the hours of 10:00 a.m. to 2:30 p.m. on November 30, 2013.

2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured:

- a) at 50 feet from any speaker;
- b) at the stage sound mix or 50 feet from the stage.

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 the above-identified times at the specific locations 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.

Human Movement Management, represented by Ashleigh Shapiro, Sponsor Coordinator, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide the use of an amplified sound system, with limitations, from 10:00 a.m. to 2:30 p.m., or at specific times and locations identified herein, on November 30, 2013 during the Ugly Sweater Run 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