



## Legislation Details (With Text)

**File #:** RES PH 14-15 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 1/22/2014

**Title:** Approving the application of the St. Paul Festival & Heritage Foundation for a sound level variance in order to present amplified music and entertainment in Rice Park for the 2014 Saint Paul Winter Carnival, from January 23, 2014 through February 2, 2014.

**Sponsors:** Dave Thune

**Indexes:**

**Code sections:**

**Attachments:** 1. Winter Carnival 2014 SLV Application.pdf, 2. Winter Carnival 2014 ENS.pdf, 3. Winter Carnival 2014 Applicant Notification Letter.pdf, 4. Winter Carnival Dist 17 Notice.pdf, 5. Winter Carnival 2014 Map.pdf, 6. Winter Carnival Property Owner Example.pdf, 7. Winter Carnival 2014 Prop Owner List.pdf, 8. Houle letter re Winter Carnival Noise Variance, 9. Whitacre letter re Winter Carnival Noise Variance

Date	Ver.	Action By	Action	Result
1/27/2014	1	Mayor's Office	Signed	
1/22/2014	1	City Council	Adopted	Pass

Approving the application of the St. Paul Festival & Heritage Foundation for a sound level variance in order to present amplified music and entertainment in Rice Park for the 2014 Saint Paul Winter Carnival, from January 23, 2014 through February 2, 2014.

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, the St. Paul Festival & Heritage Foundation, represented by Rosanne Bump, CEO, who has been designated as the responsible person on the application, has applied for a variance to present amplified music and entertainment on a stage located in Rice Park, from January 23, 2014 through February 2, 2014; and

WHEREAS, if applicant is not granted a variance it will not be able to present the amplified music or entertainment in Rice Park; 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 St. Paul Festival & Heritage Foundation, subject to the following conditions:

1. The variance will be for the Saint Paul Winter Carnival located in Rice Park for the following

dates and times:

- a. Thursday, January 23, 2014 from 11:00 AM to 9:00 PM
  - b. Friday, January 24, 2014 from 11:00 AM to 9:00 PM
  - c. Saturday, January 25, 2014 from 11:00 AM to 10:00 PM
  - d. Sunday, January 26, 2014 from 10:00 AM to 6:00 PM
  - e. Thursday, January 30, 2014 from 11:00 AM to 7:00 PM
  - f. Friday, January 31, 2014 from 11:00 AM to 10:00 PM
  - g. Saturday, February 1, 2014 from 11:00 AM to 10:00 PM
  - h. Sunday, February 2, 2014 from 11:00 AM to 2:00 PM
2. All electronically powered equipment used in conjunction with the event, will not exceed 85 dBA, as measured 50 feet from any stage, PA system, loudspeaker or any similar device.
3. The applicant shall provide personnel and equipment to conduct continuous sound level monitoring during the event.
4. Except for the days and hours indicated in condition number 1, all electronically powered equipment, PA systems, loudspeakers or similar devices will comply with the sound level limits indicated in Chapter 293 of the Saint Paul Legislative Code.

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.

St. Paul Festival & Heritage Foundation, represented by Rosanne Bump, CEO, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music and entertainment on a stage in Rice Park, as part of the Saint Paul Winter Carnival, from January 23, 2014 through February 2, 2014. 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