



Legislation Details (With Text)

File #: RES PH 14- 141 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 6/4/2014

Title: Approving the application of Minnesota Bicycle Festivals Inc. for a sound level variance in order to present amplified music and announcements on a stage located near the corner of Sixth Street West and St. Peter Street, for the Saint Paul Rice Park Criterium on Wednesday, June 11, 2014 from 5:00 p.m. to 9:00 p.m.

Sponsors: Dave Thune

Indexes: Ward - 2

Code sections:

Attachments: 1. Application, 2. ENS, 3. Event Diagram, 4. Map, 5. Notice to District Council, 6. Notice to Property Owners, 7. List of Property Owners, 8. Letter to Applicant, 9. Letter of Concern 1, 10. Letter of Concern 2

Date	Ver.	Action By	Action	Result
6/10/2014	1	Mayor's Office	Signed	
6/4/2014	1	City Council	Adopted	Pass

Approving the application of Minnesota Bicycle Festivals Inc. for a sound level variance in order to present amplified music and announcements on a stage located near the corner of Sixth Street West and St. Peter Street, for the Saint Paul Rice Park Criterium on Wednesday, June 11, 2014 from 5:00 p.m. to 9:00 p.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, Minnesota Bicycle Festivals Inc., represented by Carlos Villalpando, Director of Operations, who has been designated as the responsible person on the application, has applied for a variance to present amplified music and announcements on a stage located near the corner of 6th Street West and St. Peter Street, for the Saint Paul Rice Park Criterium on Wednesday, June 11, 2014; and

WHEREAS, if applicant is not granted a variance it will not be able to present the amplified music or announcements near the corner of 6th Street West and St. Peter Street; 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 Minnesota Bicycle Festivals Inc., subject to the following conditions:

1. The variance will be for the Saint Paul Rice Park Criterium stage located near the corner of 6th

Street West and St. Peter Street on June 11, 2014 from 5:00 p.m. to 9:00 p.m.

2. All electronically powered equipment, PA system, loudspeaker or any similar device used in conjunction with the event, will not exceed 85 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 9:00 p.m. on June 11, 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.

Minnesota Bicycle Festivals Inc., represented by Carlos Villalpando, Director of Operations, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music and announcements on a stage located near the corner of 6th Street West and St. Peter Street, for the Saint Paul Rice Park Criterium on Wednesday, June 11, 2014 from 5:00 p.m. to 9:00 p.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