



Legislation Details (With Text)

File #: RES PH 14- 252 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 9/17/2014

Title: Approving the application of the Minnesota Wild for a sound level variance in order to present music and announcements outside the Xcel Energy Center, 199 Kellogg Boulevard West, for the Wild Breakaway Run on Saturday, September 20, 2014 from 7:00 a.m. to 12:00 noon.

Sponsors: Dave Thune

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Code sections:

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

Date	Ver.	Action By	Action	Result
9/22/2014	1	Mayor's Office	Signed	
9/17/2014	1	City Council	Adopted	Pass

Approving the application of the Minnesota Wild for a sound level variance in order to present music and announcements outside the Xcel Energy Center, 199 Kellogg Boulevard West, for the Wild Breakaway Run on Saturday, September 20, 2014 from 7:00 a.m. to 12:00 noon.

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 Wild, represented by Charlie Wasley, Race Director, who has been designated as the responsible person on the application, has applied for a variance to present music and announcements outside at 199 Kellogg Boulevard West, for the Minnesota Wild's Wild Breakaway Run on Saturday, September 20, 2014; and

WHEREAS, if applicant is not granted a variance it will not be able to present the amplified music or announcements at the outdoors 199 Kellogg Boulevard West site; 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 the Minnesota Wild, subject to the following conditions:

1. The variance will be for the Wild Breakaway Run located outside of the Xcel Energy Center, 199 Kellogg Boulevard West on September 20, 2014 from 7:00 a.m. to 12:00 p.m.
2. All electronically powered equipment, PA system, loudspeaker or any similar device used in

conjunction with the event, will not exceed 75 dBA, as measured 50 feet from any stage or sound source between the hours of 7:00 a.m. and 8:30 a.m., and will not exceed 85 dBA as measured 50 feet from any sound source used for music and/or announcements between the hours of 8:30 a.m. to 12:00 p.m..

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 12:00 p.m. on September 20, 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 Wild, represented by Charlie Wasley, Race Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present music and announcements outside the Xcel Energy Center, 199 Kellogg Boulevard West, for the Wild Breakaway Run on Saturday, September 20, 2014 from 7:00 a.m. to 12:00 p.m. 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