Legislation Details (With Text)

File #:	RES PH 14-313 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	11/5/2014
Title:	Approving the application of Travis Dray, Managing Partner for Human Movement Management, for a sound level variance in order to present amplified iPod speaker music at Harriet Island, and at Lilydale Road and South Joy Avenue, from 9:00 a.m. until 2:00 p.m. on Saturday, November 29, 2014 for the Ugly Sweater Run.		
Sponsors:	Dave Thune		
Indexes:	Ward - 2		
Code sections:			
Attachments:	1. Application, 2. ENS, 3. Maps, 4. Notice to District Council, 5. Notice to Property Owners, 6. Property Owner List, 7. Letter to Applicant		

Date	Ver.	Action By	Action	Result
11/10/2014	1	Mayor's Office	Signed	
11/5/2014	1	City Council	Adopted	Pass

Approving the application of Travis Dray, Managing Partner for Human Movement Management, for a sound level variance in order to present amplified iPod speaker music at Harriet Island, and at Lilydale Road and South Joy Avenue, from 9:00 a.m. until 2:00 p.m. on Saturday, November 29, 2014 for the Ugly Sweater Run.

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 Human Movement Management Ugly Sweater Run, represented by Travis Dray, who has been designated as the responsible person on the application, has applied for a variance to present amplified iPod speaker music at Harriet Island as well as at Lilydale Road and South Joy Avenue; and

WHEREAS, applicant is seeking a variance for the hours of 9:00 a.m. to 2:00 p.m. on November 29, 2014 during the Ugly Sweater Run; and

WHEREAS, if applicant is not granted a variance it will not be able to present amplified music at Harriet Island as well as at Lilydale Road and South Joy Avenue; and

RESOLVED, that the Council of the City of Saint Paul hereby grants a variance to the Human Movement Management Ugly Sweater Run, subject to the following conditions:

1) The variance shall be for the hours of 9:00 a.m.to 2:00 p.m. on November 29, 2014.

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

measured at 50 feet from the sound source.

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 2:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the November 29, 2014 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

The Human Movement Management Ugly Sweater Run, represented by Travis Dray, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified iPod speaker music, with limitations, from 9:00 a.m. until 2:00 p.m. on November 29, 2014 during the Ugly Sweater Run. 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

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