



Legislation Details (With Text)

File #: RES PH 15-4 **Version:** 1
Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 1/7/2015

Title: Approving the application of the Saint Paul Festival & Heritage Foundation for a sound level variance in order to present amplified music and entertainment in Rice Park for the 2015 Saint Paul Winter Carnival from January 22, 2015 through February 1, 2015.

Sponsors: Dave Thune

Indexes: Ward - 2

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
1/12/2015	1	Mayor's Office	Signed	
1/7/2015	1	City Council	Adopted	Pass

Approving the application of the Saint Paul Festival & Heritage Foundation for a sound level variance in order to present amplified music and entertainment in Rice Park for the 2015 Saint Paul Winter Carnival from January 22, 2015 through February 1, 2015.

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 Saint 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 22, 2015 through February 1, 2015; 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 22, 2015 from 11:00 AM to 8:00 PM;

- b. Friday, January 23, 2015 from 9:00 AM to 10:00 PM;
- c. Saturday, January 24, 2014 from 9:00 AM to 10:00 PM;
- d. Sunday, January 25, 2014 from 9:00 AM to 10:00 PM;
- e. Monday, January 26, 2015 from 11:00 AM to 8:00 PM;
- f. Tuesday, January 27, 2015 form 11:00 AM to 8:00 PM;
- g. Wednesday, January 28, 2015 from 11:00 AM to 8:00 PM;
- h. Thursday, January 29, 2015 from 9:00 AM to 10:00 PM;
- i. Friday, January 30, 2015 from 9:00 AM to 10:00 PM;
- j. Saturday, January 31, 2015 from 9:00 AM to 10:00 PM; and
- k. Sunday, February 1, 2015 from 9:00 AM to 10:00 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.

Saint 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 22, 2015 through February 1, 2015. 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