



Legislation Details (With Text)

File #: RES PH 15- 322 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 11/4/2015

Title: Approving the application of Travis Dray, for Human Movement Inc., for a sound level variance, in order to present amplified wireless speakers music on Saturday, November 28, 2015 for the Ugly Sweater Run at Harriet Island.

Sponsors: Dave Thune

Indexes: Ward - 2

Code sections:

Attachments: 1. Application, 2. ENS, 3. Map of Harriet Island, 4. Map of Aid Station 1 and 2, 5. Notice to District Council, 6. Notice to Property Owners, 7. List of Property Owners, 8. Letter to Applicant

Date	Ver.	Action By	Action	Result
11/5/2015	1	Mayor's Office	Signed	
11/4/2015	1	City Council	Adopted	Pass

Approving the application of Travis Dray, for Human Movement Inc., for a sound level variance, in order to present amplified wireless speakers music on Saturday, November 28, 2015 for the Ugly Sweater Run at Harriet Island.

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 Inc. 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 wireless speaker music at Harriet Island as well as west on Water Street to Aid Station #1, .52 miles from the Smith Avenue Bridge and to Aid Station #2, .6 miles from the Smith Avenue Bridge; and

WHEREAS, applicant is seeking a variance for the hours of 10:00 a.m. to 2:00 p.m., with a pre-event sound check at 9:30 a.m. on November 28, 2015 during the Ugly Sweater Run; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified music at Harriet Island as well as west on Water Street to Aid Stations #1 and #2; and

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

1) The variance shall be for the hours of 10:00 a.m. to 2:00 p.m., with a pre-event sound check at 9:30 a.m. on November 28, 2015.

- 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 28, 2015 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 Inc. 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 wireless speaker music, with limitations, from 10:00 a.m. until 2:00 p.m., with a pre-event sound check at 9:30 a.m. on November 28, 2015 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