



## Legislation Details (With Text)

**File #:** RES PH 16- 280 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 9/7/2016

**Title:** Approving the application of Forward Events LLC for a sound level variance in order to present amplified music on Saturday, September 24, 2016 during the St. Paul Food Truck Festival at Mears Park.

**Sponsors:** Rebecca Noecker

**Indexes:** Ward - 1

**Code sections:**

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

| Date     | Ver. | Action By      | Action  | Result |
|----------|------|----------------|---------|--------|
| 9/9/2016 | 1    | Mayor's Office | Signed  |        |
| 9/7/2016 | 1    | City Council   | Adopted | Pass   |

Approving the application of Forward Events LLC for a sound level variance in order to present amplified music on Saturday, September 24, 2016 during the St. Paul Food Truck Festival at Mears Park.

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, Forward Events, LLC, represented by Jessica Jenkins, Event Organizer, who has been designated as the responsible person on the application, has applied for a variance, with a sound level request of 85 - 90 dBA at no specified distance, to present amplified music at Mears Park; and

WHEREAS, applicant is seeking a variance for Saturday, September 24, 2016 from 11:00 a.m. until 9:00 p.m., with a pre-event sound check from 10:45 a.m. until 11:00 a.m. for the St Paul Food Truck Festival; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified music at Mears 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 Forward Events, LLC, subject to the following conditions:

1) The variance will be for the St Paul Food Truck Festival on Saturday, September 24, 2016 from 11:00 a.m. until 9:00 p.m., with a pre-event sound check from 10:45 a.m. until 11:00 a.m.

2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 90 dBA as measured 50 feet from sound source.

3) The applicant will provide personnel and equipment to ensure compliance with the sound level variance conditions.

4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 9:00 p.m. on the date of the event.

FURTHER RESOLVED, that any violations of the conditions set forth above, may result in denial of any future variances, in addition to any criminal citation which may be issued.

Forward Events, LLC, represented by Jessica Jenkins, Event Organizer, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music, with limitations, on September 24, 2016 from 11:00 a.m. until 9:00 p.m., with a pre-event sound check from 10:45 a.m. until 11:00 a.m. on Saturday, September 24, 2016 during the St Paul Food Truck Festival at Mears Park. 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