



Legislation Details (With Text)

File #: RES PH 17- 129 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 5/17/2017

Title: Approving the application of WCCO Television for a sound level variance in order to present announcements and amplified music on Saturday, June 10, 2017 at Hidden Falls Regional Park and Mississippi River Boulevard during the Pulling Together Event.

Sponsors: Chris Tolbert

Indexes: Ward - 3

Code sections:

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

Date	Ver.	Action By	Action	Result
5/19/2017	1	Mayor's Office	Signed	
5/17/2017	1	City Council	Adopted	Pass

Approving the application of WCCO Television for a sound level variance in order to present announcements and amplified music on Saturday, June 10, 2017 at Hidden Falls Regional Park and Mississippi River Boulevard during the Pulling Together Event.

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, WCCO Television, represented by Max Huber, Community Relations Manager, who has been designated as the responsible person on the application, has applied for a variance to present announcements and amplified music at Hidden Falls Regional Park and Mississippi River Boulevard and;

WHEREAS, applicant is seeking a variance for the hours of 9:00 a.m. until 3:00 p.m. on Saturday, June 10, 2017, with a Rain Back up Date of June 11, 2017 at Hidden Falls Regional Park and Mississippi River Boulevard, during the Pulling Together Event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present announcements and amplified music at Hidden Falls Regional Park and Mississippi River Boulevard; 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 WCCO Television, subject to the following conditions:

- 1) The variance shall be for the hours of 9:00 a.m. to 3:00 p.m. on Saturday, June 10, 2017, with a Rain Back up Date of June 11, 2017.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured 50 feet from sound source.
- 3) The applicant shall provide personnel and equipment to ensure compliance with the sound level variance conditions. The applicant may need to provide a barrier, to act as a sound absorber to contain excess sound from leaving the area.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 3:00 p.m. on the date of the event.

FURTHER RESOLVED, that any violations of the conditions set forth above on the first date may result in revocation of the grant of a variance for the subsequent date, in addition to any criminal citation which might issue.

WCCO Television, represented by Max Huber, Community Relations Manager, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present announcements and amplified music, with limitations, from 9:00 a.m. to 3:00 p.m., on Saturday, June 10, 2017, with a Rain Back up Date of June 11, 2017 during the Pulling Together Event at Hidden Falls Regional Park and Mississippi River Boulevard. 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