Legislation Details (With Text)

File #:	RES PH 17-326 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	12/6/2017
Title:	Approving the application of Hangman Productions USA, Inc. for a sound level variance to allow 24/7 operation of chillers and generators from Wednesday, December 27, 2017 through Monday, January 29, 2018, and the use of an amplified sound system for the Red Bull Crashed Ice Event on Friday, January 19 and Saturday, January 20, 2018.		
Sponsors:	Rebecca Noecker		
Indexes:	Ward - 2		
Code sections:			
Attachments:	1. Application, 2. ENS, 3. Map, 4. Notice to Owners, 5. List of Owners, 6. Letter to Applicant		

Date	Ver.	Action By	Action	Result
12/8/2017	1	Mayor's Office	Signed	
12/6/2017	1	City Council	Adopted	Pass

Approving the application of Hangman Productions USA, Inc. for a sound level variance to allow 24/7 operation of chillers and generators from Wednesday, December 27, 2017 through Monday, January 29, 2018, and the use of an amplified sound system for the Red Bull Crashed Ice Event on Friday, January 19 and Saturday, January 20, 2018.

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, Hangman Productions USA, Inc., represented by Andrew Markey, President/Event Producer, who has been designated as the responsible person on the application, has applied for a variance for the Red Bull Crashed Ice Event. The applicant is seeking a variance to be able to operate chillers and generators 24/7 beginning Wednesday, December 27, 2017 through Monday, January 29, 2018 to allow for track preparation, the event and track removal. The applicant is also requesting to use an amplified sound system between the hours of 4:00 p.m. and 10:00 p.m. on Friday, January 19 and Saturday, January 20, 2018, with pre-event sound checks from 2:00 p.m. until 4:00 p.m. on Wednesday, January 17, Thursday, January 18 and Friday, January 19, 2018. The noise sources will be on the event grounds, located along John Ireland Boulevard, in or near North Cathedral Hill Park, Monument Park, Cathedral Hill Park, South Cathedral Hill Park and Arch Park. The applicant has indicated that all chillers and generators will be limited to 80 decibels (dBA) as measured 15 feet from the sound source, beginning Wednesday, December 27, 2017 through Monday, January 29, 2018 and that the amplified sound system, with a line array audio system, will be limited to 95 dBA as measured 80 feet from the speakers on Friday, January 19 and Saturday, January 20, 2018; and

WHEREAS, if applicant is not granted a variance, they will not be able to operate the chillers, generators, and provide the music and announcements necessary for the event; and

powered by Legistar™

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 Hangman Productions USA, Inc., subject to the following conditions:

1) The variance shall be for the 24/7 operation of chillers and generators beginning on Wednesday, December 27, 2017 through Monday, January 29, 2018 and for the use of an amplified sound system, with a line array audio system with multiple speakers, during the event to be held on Friday, January 19, 2018 and Saturday, January 20, 2018 from 4:00 p.m. to 10:00 p.m., with pre-event sound checks from 2:00 p.m. until 4:00 p.m. on Wednesday, January 17, Thursday, January 18 and Friday, January 19, 2018.

2) Sound levels will not exceed 80 dBA as measured 15 feet from the sound source during the chiller and generator operation December 27, 2017 through Monday, January 29, 2018 and shall not exceed 95 dBA measured 80 feet in any direction from the sound source during the Event.

3) The applicant will provide personnel and equipment to monitor sound levels during the event, on Friday, January 19 and Saturday, January 20, 2018 to ensure compliance with these conditions.

4) All PA systems, loudspeakers or similar devices shall be turned off no later than 10:00 p.m. on January 19 and Saturday, January 20, 2018.

FURTHER RESOLVED, that any violation of the conditions set forth above may result in the denial of future requests for the grant of a noise variance, in addition to any criminal citation which may be issued.

Hangman Productions USA, Inc., represented by Andrew Markey, President, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present the 2018 Red Bull Crashed Ice Event on January 19 and January 20, 2018. Applicant has requested the sound level variance at the following locations: event grounds, located along John Ireland Boulevard, in or near North Cathedral Hill Park, Monument Park, Cathedral Hill Park, South Cathedral Hill Park and Arch Park. The applicant has indicated that the sound level variance is requested from 4:00 p.m. to 10:00 p.m. for the Event, with a pre-event sound check from 2:00 p.m. to 4:00 p.m. on Wednesday, January 17, Thursday, January 18 and Friday, January 19, 2018. The applicant has also requested a variance for the 24/7 operation of chillers and generators beginning on Wednesday, December 27, 2017 through Monday, January 29, 2018. Noise sources will be located at the above specified locations. 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

powered by Legistar™