



Legislation Details (With Text)

File #: RES PH 18-159 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 6/20/2018

Title: Approving the application of United Hmong Family Inc. for a sound level variance for amplified sound on Saturday, June 30 and Sunday, July 1, 2018 for the Hmong Int'l Freedom Festival at Como Park, McMurray Fields.

Sponsors: Samantha Henningson

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Code sections:

Attachments: 1. Application, 2. ENS, 3. Map, 4. Notice to Owners, 5. List of Owners, 6. Letter to Applicant, 7. District 10 Support RES PH 18-159

Date	Ver.	Action By	Action	Result
6/26/2018	1	Mayor's Office	Signed	
6/20/2018	1	City Council	Adopted	Pass

Approving the application of United Hmong Family Inc. for a sound level variance for amplified sound on Saturday, June 30 and Sunday, July 1, 2018 for the Hmong Int'l Freedom Festival at Como Park, McMurray Fields.

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, United Hmong Family Inc., represented by Joe Vang, who has been designated as the responsible person on the application, has applied for a variance for the hours of 6:00 a.m. to 9:00 p.m. to provide amplified music and announcements at the Como Park, McMurray Field Area, 1155 Jessamine Avenue W.

United Hmong Family, Inc. submitted the variance application with a requested sound level limit as allowed in 2017, with a request for 90 dBA at 50 feet for the stage area and 75 dBA for a residential receiver for the merchandise area; and

WHEREAS, applicant is seeking a variance for the hours of 6:00 a.m. until 9:00 p.m. on Saturday, June 30 and Sunday, July 1, 2018 during the Hmong Int'l Freedom Festival; and

WHEREAS, if applicant is not granted a variance they will not be able to provide amplified music and announcements at the Hmong Int'l Freedom Celebration, by the Como McMurray Field Area at 1155 Jessamine Avenue W.; 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 sound level variance to United Hmong Family, Inc., subject to the following conditions:

- 1) The variance will only be for the hours of 9:00 a.m. until 9:00 p.m. on Saturday, June 30 and Sunday, July 1, 2018.
- 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 90 dBA as measured at 50 feet from any stage.
- 3) All electronically powered equipment, PA systems, loudspeakers or similar devices used in the merchandise areas and on or near the sporting event fields, must not exceed 75 dBA as measured at the nearest residential receiver.
- 4) The applicant will provide personnel and equipment, who will conduct sound level monitoring during the event, to ensure compliance with the variance conditions.
- 5) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 9:00 p.m. on each event date.

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.

United Hmong Family Inc., represented by Joe Vang, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide amplified sound, with limitations, from 6:00 a.m. until 9:00 p.m. on June 30 and July 1, 2018 during the Hmong Int'l Freedom Festival at the Como Park, McMurray Field Area, 1155 Jessamine Avenue West. 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