Legislation Details (With Text)

File #:	RES PH 19-6 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	1/2/2019
Title:	Approving the application of the Saint Paul Festival & Heritage Foundation for a sound level variance in Kellogg Mall Park for the 2019 Saint Paul Winter Carnival from January 24 through February 3, 2019.		
Sponsors:	Rebecca Noecker		
Indexes:	Ward - 2		
Code sections:			
Attachments:	1. Application, 2. ENS, 3. MAP, 4. Notice to Owners, 5. Owners List, 6. Letter to Applicant		

Date	Ver.	Action By	Action	Result
1/7/2019	1	Mayor's Office	Signed	
1/2/2019	1	City Council	Adopted	Pass

Approving the application of the Saint Paul Festival & Heritage Foundation for a sound level variance in Kellogg Mall Park for the 2019 Saint Paul Winter Carnival from January 24 through February 3, 2019.

WHEREAS, Saint Paul Festival & Heritage Foundation, represented by Deb Schaber, CEO, who has been designated as the responsible person on the application, has applied for a variance, with a requested sound level limit of 100 dBA at 100 feet to present amplified music and entertainment on a stage located in Kellogg Mall Park, from Thursday, January 24 through Sunday, February 3, 2019; and

WHEREAS, if applicant is not granted a variance, applicant will not be able to present the amplified music or entertainment in Kellogg Mall 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 the St. Paul Festival & Heritage Foundation, subject to the following conditions:

1. The Variance will be for the Saint Paul Winter Carnival located in Kellogg Mall Park for the following dates and times:

   A. Thursday, January 24, 2019 from 11:00 a.m. to 10:00 p.m.;
   B. Friday, January 25 and Saturday, January 26, 2019 from 9:00 a.m. to 10:00 p.m.;
   C. Sunday, January 27, 2019 from 9:00 a.m. to 10:00 p.m.;
   D. Monday, January 28 through Wednesday, January 30, 2019 from 11:00 a.m. until 10:00 p.m.;
   E. Thursday, January 31, 2019 from 11:00 a.m. until 10:00 p.m.;
   F. Friday, February 1 and Saturday, February 2, 2019 from 9:00 a.m. until 10:00 p.m.;
   G. Sunday, February 3, 2019 from 9:00 a.m. to 10:00 p.m.;

2. All electronically powered equipment used in conjunction with the event, will not exceed 90 dBA, as measured 50 feet from any stage, PA system, loudspeaker or any similar device.

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3. The applicant shall provide personnel and equipment to conduct continuous sound level monitoring during the event.
4. All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 10:00 p.m. as indicated above for each of the specific event dates.

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

Saint Paul Festival & Heritage Foundation, represented by Deb Schaber, CEO, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide amplified music and announcements at Kellogg Mall Park, as part of the Saint Paul Winter Carnival - Kellogg Mall Park location, beginning Thursday, January 24 through Sunday, February 3, 2019. 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

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