Legislation Details (With Text)

File #:	RES PH 19-7 **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 to provide amplified music and announcements at 400 Robert Street North for the 2019 Saint Paul Winter Carnival - Securian Winter Run on Saturday, January 26, 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 to provide amplified music and announcements at 400 Robert Street North for the 2019 Saint Paul Winter Carnival - Securian Winter Run on Saturday, January 26, 2019.

WHEREAS, 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, the 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 85 dBA at 50 feet for music and announcements at 400 Robert Street North during a Saint Paul Winter Carnival Securian Run; and

WHEREAS, applicant is seeking a variance for the hours of 7:30 a.m. to 12:00 p.m., with a pre-event sound check from 7:00 a.m. until 7:30 a.m. on Saturday, January 26, 2019; and

WHEREAS, if applicant is not granted a variance applicant will not be able to provide amplified music and announcements at 400 Robert Street North; 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 shall be for the Saint Paul Winter Carnival - Securian Run located at 400 Robert Street North for the hours of 7:30 a.m. to 12:00 p.m., with a pre-event sound check from 7:00 a.m. until 7:30 a.m.

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on Saturday, January 26, 2019.

2. All electronically powered equipment used in conjunction with the event, will not exceed 85 dBA, as measured 50 feet from any stage, PA system, loudspeaker or any similar device.

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 12:00 p.m. on the event date.

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 400 Robert Street North, as part of the Saint Paul Winter Carnival - Securian Run, on Saturday, January 26, 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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