



Legislation Details (With Text)

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In control: City Council
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Title: Approving the application of Team Ortho Foundation for sound level variances for amplified sound at three locations along the 2019 Get Lucky Run race route on Saturday, March 16, 2019: CHS Field, 360 N. Broadway Street; Sibley Street and Shepard Road; and Upper Landing Park and Eagle Road.

Sponsors: Rebecca Noecker

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Code sections:

Attachments: 1. CHS Field Application, 2. Sibley and Shepard Application, 3. Upper Landing Application, 4. ENS, 5. CHS Field Map, 6. Sibley and Shepard Map, 7. Upper Landing Map, 8. CHS Field Notice to Owners, 9. Sibley and Shepard Notice to Owners, 10. Upper Landing Notice to Owners, 11. CHS Field Owners List, 12. Sibley and Shepard Owners List, 13. Upper landing Owners List, 14. Letter to Applicant

Date	Ver.	Action By	Action	Result
2/26/2019	1	Mayor's Office	Signed	
2/20/2019	1	City Council	Adopted	Pass

Approving the application of Team Ortho Foundation for sound level variances for amplified sound at three locations along the 2019 Get Lucky Run race route on Saturday, March 16, 2019: CHS Field, 360 N. Broadway Street; Sibley Street and Shepard Road; and Upper Landing Park and Eagle Road.

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, Team Ortho Foundation, represented by John Larson, Executive Director, who has been designated as the responsible person on the application, has applied for three (3) sound level variances to present amplified sound along the 2019 Get Lucky Run race route: CHS Field, 360 N. Broadway Street; Sibley Street and Shepard Road; and Upper Landing Park and Eagle Road on Saturday, March 16, 2019, from 8:00 a.m. until 1:00 p.m. at CHS Field, at Sibley Street and Shepard Road as well as at Upper Landing Park and Eagle Road, with a pre-event sound check at 7:45 a.m.; and

WHEREAS, if applicant is not granted the variances, applicant will not be able to present amplified sound at three (3) locations along the 2019 Get Lucky Run race route; 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 Team Ortho Foundation, subject to the following conditions:

- 1) The Variance will be for the 2019 Get Lucky Run to have announcements and music along the race route at the following three (3) specified locations: CHS Field, 360 N. Broadway Street, Sibley Street and Shepard Road, as well as at Upper Landing Park and Eagle Road, from 8:00 a.m. until 1:00 p.m., with a pre-event sound check at 7:45 a.m.
- 2) All electronically powered equipment, PA system, loudspeaker or any similar device used in conjunction with the event, will not exceed 80 dBA, as measured 50 feet from any stage or sound source.
- 3) The applicant shall provide personnel and equipment to ensure compliance with the variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices will be turned off no later than 1:00 p.m. on March 16, 2019.

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.

Team Ortho Foundation, represented by John Larson, Executive Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide amplified music and announcements at three (3) locations along the 2019 Get Lucky Run race route: CHS Field, 360 N. Broadway Street; Sibley Street and Shepard Road; and Upper Landing Park and Eagle Road on Saturday, March 16, 2019 from 8:00 a.m. until 1:00 p.m., with a pre-event sound check at 7:45 a.m. 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