



Legislation Details (With Text)

File #: RES PH 19- 88 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 4/10/2019

Title: Approving the application of Planned Parenthood MN ND SD for a sound level variance for amplified music and announcements at 671 Vandalia Street for Solidarity Day on Friday, April 19, 2019.

Sponsors: Mitra Jalali

Indexes: Ward - 4

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
4/17/2019	1	Mayor's Office	Signed	
4/10/2019	1	City Council	Adopted	Pass

Approving the application of Planned Parenthood MN ND SD for a sound level variance for amplified music and announcements at 671 Vandalia Street for Solidarity Day on Friday, April 19, 2019.

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, Planned Parenthood MN ND SD (PPMNS), represented by Chrissy Anderson, Director of Operations, who has been designated as the responsible person on the application, has applied for a variance, at a requested sound level limit of 85 dBA at no specified distance, for PPMNS Solidarity Day on Friday, April 19, 2019 at 671 Vandalia Street; and

WHEREAS, applicant has requested a variance for the hours of 8:30 a.m. to 4:00 p.m., with a sound check at 7:30 a.m., and a requested sound level limit of 85 dBA on Friday, April 19, 2019; and

WHEREAS, if applicant is not granted a variance applicant will not be able to have Solidarity Day at 671 Vandalia Street; 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 PPMNS, subject to the following conditions:

1) The Variance shall be for the hours of 8:30 a.m. to 4:00 p.m. with a sound check at 7:30 a.m. on Friday, April 19, 2019.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured 50 feet from any sound source including equipment used for speaker announcements.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at each sound source during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 4:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on Friday, April 19, 2019 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

PPMNS, represented by Chrissy Anderson, Director of Operations, has requested an exemption from the sound level limitations in Chapter 293.07 for Solidarity Day on Friday, April 19, 2019, from 8:30 a.m. to 4:00 p.m., with a sound check at 7:30 a.m. at 671 Vandalia Street. 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