



## Legislation Details (With Text)

**File #:** RES PH 19- 113 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed

**In control:** City Council

**Final action:** 5/1/2019

**Title:** Approving the application of Anderson Race Management for a sound level variance to present outdoor music and announcements for the ALS Super Hero Dash on Saturday, May 11, 2019 at Raspberry Island.

**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
5/6/2019	1	Mayor's Office	Signed	
5/1/2019	1	City Council	Adopted	Pass

Approving the application of Anderson Race Management for a sound level variance to present outdoor music and announcements for the ALS Super Hero Dash on Saturday, May 11, 2019 at Raspberry Island.

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, Anderson Race Management, represented by Jennifer Williams, Director of Events, who has been designated as the responsible person on the application, has applied for a variance, at no specified sound level limit or distance, to present outdoor music and announcements at Raspberry Island, 2 Wabasha Street, during the ALS Super Hero Dash; and

WHEREAS, applicant is seeking a variance for the hours of 8:00 a.m. until 1:00 p.m., with a pre-event sound check at 7:45 a.m., on Saturday, May 11, 2019; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present outdoor music and announcements at Raspberry Island; 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 Anderson Race Management, subject to the following conditions:

1) The Variance shall be for the hours of 8:00 a.m. until 1:00 p.m., with a pre-event sound check at 7:45 a.m., on Saturday, May 11, 2019.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA, as measured at 50 feet from the noise source.
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at all stages and each sound mix during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 1:00 p.m. on May 11, 2019.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 11, 2019 event date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Anderson Race Management, represented by Jennifer Williams, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present outdoor music and announcements, with limitations, from 8:00 a.m. to 1:00 p.m. on Saturday, May 11, 2019 at Raspberry Island during a charitable ALS Super Hero Dash Event. 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