Legislation Details (With Text)

File #:	RES PH 19-152 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	6/5/2019
Title:	Approving the application of Mississippi Market Natural Food Co-Op for a sound level variance to present amplified music on Saturday, June 15, 2019 in the parking lot of 1500 7th Street West for the Mississippi Market 40th Anniversary Block Party.		
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
6/12/2019	1	Mayor's Office	Signed	
6/5/2019	1	City Council	Adopted	Pass

Approving the application of Mississippi Market Natural Food Co-Op for a sound level variance to present amplified music on Saturday, June 15, 2019 in the parking lot of 1500 7th Street West for the Mississippi Market 40th Anniversary Block Party.

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, Mississippi Market, represented by Katie Marty, Community and Event Coordinator, has applied for a variance, with a sound level request of 85 to 90 dBA at 50 feet, to present amplified music in the parking lot of 1500 7th St. W.; and;

WHEREAS, applicant is seeking a variance for the hours of 3:00 p.m. until 7:00 p.m., with a pre-event sound check at 1:30 p.m., on Saturday, June 15, 2019 in the parking lot of 1500 7th St. W. for the Mississippi Market 40th Anniversary Block Party; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present announcements and amplified music in the parking lot of 1500 7th St. W.; 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 Mississippi Market, subject to the following conditions:

1) The Variance shall be for the hours of 3:00 p.m. to 7:00 p.m., with a pre-event sound check at 1:30 p.m., on

Saturday, June 15, 2019.

2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured 50 feet from sound source.

3) The applicant shall provide personnel and equipment to ensure compliance with the sound level variance conditions. The applicant may need to provide a barrier, to act as a sound absorber to contain excess sound from leaving the area.

4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 7:00 p.m. on the date of the event.

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

Mississippi Market has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music, with limitations, from 3:00 p.m. to 7:00 p.m., with a pre-event sound check at 1:30 p.m., on Saturday, June 15, 2019, for the Mississippi Market 40th Anniversary Block Party at 1500 7th W. 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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