Legislation Details (With Text)

File #:	RES PH 19-196 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	7/10/2019
Title:	Approving the application of Gray Duck Media, Growler Magazine for a sound level variance to present outdoor music and announcements for the Unlabeled Event Series on Thursday, July 18, 2019 at Upper Landing Park.		
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
7/16/2019	1	Mayor's Office	Signed	
7/10/2019	1	City Council	Adopted	Pass

Approving the application of Gray Duck Media, Growler Magazine for a sound level variance to present outdoor music and announcements for the Unlabeled Event Series on Thursday, July 18, 2019 at Upper Landing Park.

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, Gray Duck Media, represented by Lila Gilbert, Event Manager, who has been designated as the responsible person on the application, has applied for a variance, with a requested sound level limit of 85 decibels (dBA) at no specified distance, to present outdoor music and announcements at Upper Landing Park, during the Unlabeled Event Series; and

WHEREAS, applicant is seeking a variance for the hours of 5:30 p.m. until 9:30 p.m., with a pre-event sound check between 2-4:30 p.m., on Thursday, July 18, 2019; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present outdoor music and announcements at Upper Landing Park; 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 Gray Duck Media, Growler Magazine, subject to the following conditions:

1) The Variance shall be for the hours of 5:30 p.m. until 9:30 p.m., with a pre-event sound check between 2-

4:30 p.m., on Thursday, July 18, 2019.

2) All electronically powered equipment used in conjunction with the event shall not exceed 85 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 9:30 p.m. on July 18, 2019.

FURTHER RESOLVED, that any violations of the conditions set forth above on the July 18, 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.

Gray Duck Media. Growler Magazine, represented by Lila Gilbert, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present outdoor music and announcements, with limitations, from 5:30 p.m. to 9:30 p.m. on Thursday, July 18, 2019 at Upper Landing Park during an Unlabeled Event Series 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

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