



Legislation Details (With Text)

File #: RES PH 19- 230 **Version:** 2

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 7/24/2019

Title: Approving the application of St. Paul Saints Baseball Club, Inc. for a sound level variance to present amplified music and use of a public-address system outdoors on Saturday, August 3, 2019 at CHS Field, 360 Broadway Street.

Sponsors: Rebecca Noecker

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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 |
|-----------|------|----------------|---------|--------|
| 7/31/2019 | 2 | Mayor's Office | Signed | |
| 7/24/2019 | 2 | City Council | Adopted | Pass |

Approving the application of St. Paul Saints Baseball Club, Inc. for a sound level variance to present amplified music and use of a public-address system outdoors on Saturday, August 3, 2019 at CHS Field, 360 Broadway Street.

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, St. Paul Saints Baseball Club, Inc., represented by Tom Whaley, Executive Vice President, has applied for a variance at a requested sound level limit of 105 dBA from the mix, with no specified distance from the sound source, to present amplified music and use of public address system at CHS Field, 360 Broadway Street; and

WHEREAS, applicant is seeking a variance for the hours of 5:00 p.m. to 10:00 p.m., with a pre-event sound check from 12:00 p.m. to 4:00 p.m. intermittently, to present amplified music and use of a public-address system outdoors, on Saturday, August 3, 2019, for the Goose Island Music Festival; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present outdoor live bands with use of a public address system outdoors at CHS Field, 360 Broadway 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 St. Paul Saints Baseball Club, subject to the following conditions:

1) The Variance will be for the Goose Island Music Festival with live amplified music and use of a Public-Address System, for the hours of 5:00 p.m. to 10:00 p.m., with a pre-event sound check from 12:00 p.m. to 4:00 p.m. intermittently, on Saturday, August 3, 2019;

~~2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 95 dBA as measured 50 feet from the sound source.~~ 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 100 dBA as measured either 100 feet from the sound source or the mix position, whichever is closer.

3) The applicant will provide personnel and equipment to ensure compliance with the sound level variance conditions.

4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 10:00 p.m. on Saturday, August 3, 2019.

FURTHER RESOLVED, that any violations of the conditions set forth above, may result in denial of any future variances, in addition to any criminal citation which may be issued.

St. Paul Saints Baseball Club, Inc., represented by Tom Whaley, requested an exemption from the sound level limitations in Chapter 293.07 in order to present live music and use of a public-address system, with limitations, from 5:00 p.m. to 10:00 p.m., with a pre-event sound check from 12:00 p.m. to 4:00 p.m. intermittently on Saturday, August 3, 2019, for the Goose Island Music Festival at CHS Field, 360 Broadway 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