



## Legislation Details (With Text)

**File #:** RES PH 19- 238 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 8/7/2019

**Title:** Approving the application of India Association of Minnesota for a sound level variance for amplified sound during India Fest on Saturday, August 10, 2019 at the State Capitol.

**Sponsors:** Rebecca Noecker

**Indexes:** Ward - 2

**Code sections:**

**Attachments:** 1. Application, 2. Date and Info Clarification 07\_11\_2019, 3. ENS, 4. ENS - Correction, 5. Map, 6. Notice to Owners, 7. Owners List, 8. Letter to Applicant

Date	Ver.	Action By	Action	Result
8/9/2019	1	Mayor's Office	Signed	
8/7/2019	1	City Council	Adopted	Pass

Approving the application of India Association of Minnesota for a sound level variance for amplified sound during India Fest on Saturday, August 10, 2019 at the State Capitol.

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, India Association of Minnesota, represented by Steve Heckler, Director of Logistics, has applied for a variance for India Fest on Saturday, August 10, 2019 at the State Capitol; and

WHEREAS, applicant has requested a variance for the hours of 10:00 a.m. to 10:00 p.m., with a pre-event sound check at 9:00 a.m., and a requested sound level limit of 90 dBA at 50 feet to present outdoor music and dance at the State Capitol, during the India Fest on Saturday, August 10, 2019; and

WHEREAS, if applicant is not granted a variance applicant will not be able to have the event at the State Capitol; 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 India Association of Minnesota, subject to the following conditions:

1) The Variance shall be for the hours of 10:00 a.m. to 10:00 p.m. with a pre-event sound check at 9:00 a.m. on Saturday, August 10, 2019.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 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 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 10:00 p.m. on the event date.

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

India Association of Minnesota, represented by Steve Heckler, has requested an exemption from the sound level limitations in Chapter 293.07 for Saturday, August 10, 2019, from 10:00 a.m. to 10:00 p.m., with a pre-event sound check at 9:00 a.m. during the India Fest at the State Capitol. 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