Legislation Details (With Text)

File #:	RES PH 19-239 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	8/7/2019
Title:	Approving the application of Erin Cooper, Irish Fair of Minnesota, for a sound level variance for amplified sound during the Irish Fair of MN on August 8 through August 11, 2019 at Harriet 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
8/9/2019	1	Mayor's Office	Signed	
8/7/2019	1	City Council	Adopted	Pass

Approving the application of Erin Cooper, Irish Fair of Minnesota, for a sound level variance for amplified sound during the Irish Fair of MN on August 8 through August 11, 2019 at Harriet 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, Irish Fair of MN, represented by Erin Cooper, Executive Director, who has been designated as the responsible person on the application, has applied for a variance to provide amplified sound at Harriet Island; and

WHEREAS, applicant is seeking a variance, at a requested sound level limit of 100 dBA at 75 feet, for the hours of 5:00 p.m. to 10:00 p.m. on Thursday, August 8; 2:00 p.m. to 11:00 p.m. on Friday, August 9; 8:00 a.m. to 11:00 p.m. on Saturday, August 10; and 8:00 a.m. to 8:00 p.m. on Sunday, August 11, 2019, during the Irish Fair of MN at Harriet Island; and

WHEREAS, if applicant is not granted a variance she will not be able to provide the use of a sound system and amplified music at Harriet 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 Erin Cooper, Irish Fair of MN at Harriet Island on August 8, 9, 10, and 11, 2019 for the following event locations and subject to the following conditions:

1) Target Main Stage:

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a. The Variance shall be for the hours of 9:00 a.m. until 10:00 p.m., as Parks Department Policy end time indicates.
b. All electronically powered equipment, PA systems, loudspeakers, or other sound producing devices used in conjunction with the event must not exceed 100 dBA at 75 feet from the sound source.

2) Pub Stage (tent):
a. The Variance shall be for the hours of 9:00 a.m. until 11:00 p.m.
b. All electronically powered equipment, PA systems, loudspeakers, or other sound producing devices used in conjunction with the event must not exceed 95 dBA at 50 feet from the sound source.

3) All other Stages:
a. The Variance shall be for the hours of 9:00 a.m. until 9:00 p.m.
b. All electronically powered equipment, PA systems, loudspeakers, or other sound producing devices used in conjunction with the event must not exceed 90 dBA at 50 feet from the sound source.

4) The applicant shall provide personnel and equipment who must provide continuous sound level monitoring at each sound mix during the hours of the variance.

5) All electronically powered equipment, PA systems, loudspeakers, or similar devices must be turned off no later than the above-identified times at the specific locations on the event dates.

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

Irish Fair of MN, represented by Erin Cooper, Executive Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide amplified music and the use of a sound system, with limitations, 5:00 p.m. to 10:00 p.m. on Thursday, August 8; 2:00 p.m. to 11:00 p.m. on Friday, August 9; 8:00 a.m. to 11:00 p.m. on Saturday, August 10; and 8:00 a.m. to 8:00 p.m. on Sunday, August 11, 2019 or at specific times and locations identified herein, on August 8 ,9, 10, and 11, 2019 during the Irish Fair of MN at Harriet Island. 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