Legislation Details (With Text)

File #:	RES PH 19-243 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	8/7/2019
Title:	Approving the application of St Paul Food Truck Festival for a sound level variance for amplified sound on Saturday, August 17, 2019 during the St Paul Food Truck Festival at Mears 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
8/9/2019	1	Mayor's Office	Signed	
8/7/2019	1	City Council	Adopted	Pass

Approving the application of St Paul Food Truck Festival for a sound level variance for amplified sound on Saturday, August 17, 2019 during the St Paul Food Truck Festival at Mears 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, St. Paul Food Truck Festival, represented by Jessica Fast, Event Organizer, has applied for a variance, at a requested sound level limit of 90 dBA at no specified distance, to present amplified music at Mears Park; and

WHEREAS, applicant is seeking a variance for Saturday, August 17, 2019 from 12:00 p.m. until 10:00 p.m., with a pre-event sound check from 11:30 a.m. until 12:00 p.m. for the St Paul Food Truck Festival; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified music at Mears 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 St. Paul Food Truck Festival, subject to the following conditions:

1) The Variance will be for the St Paul Food Truck Festival on Saturday, August 17, 2019 from 12:00 p.m. until 10:00 p.m., with a pre-event sound check from 11:30 a.m. until 12:00 p.m.

2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with

the event must not exceed 90 dBA as measured 50 feet from sound source.

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 the date of the event.

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 Food Truck Festival, represented by Jessica Fast, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music, with limitations, on August 17, 2019 from 12:00 p.m. until 10:00 p.m., with a pre-event sound check from 11:30 a.m. until 12:00 p.m. on Saturday, August 17, 2019 during the St Paul Food Truck Festival at Mears Park. 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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