



## Legislation Details (With Text)

**File #:** RES PH 21- 153      **Version:** 1

**Type:** Resolution-Public Hearing      **Status:** Passed

**In control:** City Council

**Final action:** 7/7/2021

**Title:** Approving the application of Twin Cities In Motion for a sound level variance in order to present live amplified sound on July 24, 2021 at Shepard Road by Walnut Street, North of the Upper Landing Park.

**Sponsors:** Rebecca Noecker

**Indexes:** Ward - 2

**Code sections:**

**Attachments:** 1. Application, 2. ENS, 3. Map, 4. Owners List, 5. Notice to Owners, 6. Letter to Applicant

| Date     | Ver. | Action By      | Action  | Result |
|----------|------|----------------|---------|--------|
| 7/8/2021 | 1    | Mayor's Office | Signed  |        |
| 7/7/2021 | 1    | City Council   | Adopted | Pass   |

Approving the application of Twin Cities In Motion for a sound level variance in order to present live amplified sound on July 24, 2021 at Shepard Road by Walnut Street, North of the 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, Twin Cities In Motion, represented by Kelly Donahue, Race Operations Manager, who has been designated as the responsible person on the application, has applied for a variance, at a requested sound level limit of 85 dBA measured at no specified distance from the sound source at Shepard Rd. by Walnut St., to present amplified sound; and

WHEREAS, applicant has requested a variance for the hours from 6:45 a.m. to 11:00 a.m. on July 24, 2021 with a pre-event sound check at 6:40 a.m. for Women Run The Cities event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at Shepard Rd. by Walnut St.; 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 Twin Cities In Motion, at Shepard Rd. by Walnut St., subject to the following conditions:

- 1) The Variance shall be for the hours from 6:45 a.m. to 11:00 a.m. on Saturday, July 24, 2021 with a pre-event sound check at 6:40 a.m.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured at 50 feet from all sound sources.
- 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 11:00 a.m. on July 24, 2021, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the July 24, 2021 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Twin Cities In Motion, represented by Kelly Donahue, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 6:45 a.m. until 11:00 a.m. on July 24, 2021 at Shepard Road by Walnut St., North of the Upper Landing 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