



Legislation Details (With Text)

File #: RES PH 21- 185 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 8/4/2021

Title: Approving the application of Irish Fair of Minnesota for a sound level variance in order to present amplified sound on August 12 through August 15, 2021 at 200 Dr. Justus Ohage Boulevard - Harriet Island.

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
8/6/2021	1	Mayor's Office	Signed	
8/4/2021	1	City Council	Adopted	Pass

Approving the application of Irish Fair of Minnesota for a sound level variance in order to present amplified sound on August 12 through August 15, 2021 at 200 Dr. Justus Ohage Boulevard - 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, Sarah Van Sickle, Executive Director, who has been designated as the responsible person on the application, has applied for a sound level variance at a requested level of 100 dBA measured at 75 feet, to present amplified sound. Proposed times of operation are from 3:00 p.m. to 10:00 p.m. August 12, 10:00 a.m. to 11:00 p.m. August 13, 8:00 a.m. to 11:00 p.m. August 14 and 8:00 a.m. to 8:00 p.m. August 15, 2021 at 200 Dr. Justus Ohage Boulevard - Harriet Island; and

WHEREAS, if applicant is not granted the variance, applicant will not be able to present the outdoor amplified sound at 200 Dr. Justus Ohage Boulevard - Harriet Island; and

WHEREAS, the Department of Safety and Inspections (DSI) 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 Irish Fair of Minnesota, subject to the following conditions:

- 1) The Variance will be for a music series starting at 3:00 p.m. to 10:00 p.m. on Thursday, August 12, 10:00 a.m. to 11:00 p.m. on Friday, August 13, 8:00 a.m. to 11:00 p.m. on Saturday, August 14 and 8:00 a.m. to 8:00 p.m. on Sunday, August 15, 2021, for the Irish Fair of Minnesota at 200 Dr. Justus Ohage Boulevard - Harriet Island.

2) Main Stage: All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 95 dBA at 50 feet from the sound source. Amplified sound on Main Stage must end at 10:00 p.m., per Parks Department end time Policy.

3) Pub Stage (Tent): All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 92 dBA at 50 feet from the sound source. Pub Stage amplified sound to end at 11:00 p.m. on Friday, August 13 and Saturday, August 14, per Parks Department end time Policy.

4) All Other Stages: All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 90 dBA at 50 feet from the sound source.

5) The applicant shall provide personnel and equipment who will provide sound level monitoring to ensure compliance with the sound level variance conditions.

6) All electronically powered equipment, PA systems, loudspeakers, or similar devices located on the event grounds 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 the event dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Irish Fair of Minnesota, represented by Sarah Van Sickle, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 3:00 p.m. to 10:00 p.m. on August 12, 10:00 a.m. to 11:00 p.m. on August 13, 8:00 a.m. to 11:00 p.m. on August 14 and 8:00 a.m. to 8:00 p.m. on August 15, 2021. 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