Legislation Details (With Text)

File #:	RES PH 21-186 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	8/4/2021
Title:	Approving the application of Anderson Race Management for a sound level variance in order to present amplified sound on August 21, 2021 at Phalen Park Picnic Pavilion Patio.		
Sponsors:	Nelsie Yang		
Indexes:	Ward - 6		
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 Anderson Race Management for a sound level variance in order to present amplified sound on August 21, 2021 at Phalen Park Picnic Pavilion Patio.

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, Anderson Race Management, represented by Jennifer Williams, Director of Events, who has been designated as the responsible person on the application, has applied for a variance, at no requested sound level limit or specified distance from the sound source at Phalen Park Picnic Pavilion Patio, to present amplified sound; and

WHEREAS, applicant has requested a variance for the hours from 8:00 a.m. to 12:00 p.m. on August 21, 2021 for the Miles for Melanoma 5K Run/Walk event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at Phalen Park Picnic Pavilion Patio; 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 Anderson Race Management, at Phalen Park Picnic Pavilion Patio, subject to the following conditions:

1) The Variance shall be for the hours from 8:00 a.m. to 12:00 p.m. on Saturday, August 21, 2021.

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 12:00 p.m. August 21, 2021, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the August 21, 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.

Anderson Race Management, represented by Jennifer Williams, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 8:00 a.m. until 12:00 p.m. on August 21, 2021 at Phalen Park Picnic Pavilion Patio. 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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