Legislation Details (With Text)

File #:	RES PH 11-915	**Version:**	1	
Type:	Resolution-Public Hearing	**Status:**	Passed	
		In control:	City Council	
		Final action:	6/1/2011	
Title:	Approving the application of Lao Family Community of MN, Inc. for a sound level variance in order to provide amplified sound from 8:00 a.m. until 9:00 p.m. on July 2 & 3, 2011 during the Annual Summer Sports Tournament at the McMurray Fields, 1155 Jessamine Avenue.			
Sponsors:	Russ Stark, Lee Helgen			
Indexes:				
Code sections:				
Attachments:	1. SLV Lao Sports Tournament Application.pdf, 2. SLV Lao Sports Tournament 2 ENS Notices.pdf, 3. Applicant Lao Sports Tournament SLV Notification Letter.pdf, 4. District Council 10 Lao Sports Tournament Notification Letter.pdf, 5. District Council 6 Lao Sports Tournament Notification Letter.pdf, 6. Property Lao Sports Tournament Notification Map.pdf, 7. Property Owners Lao Sports Tournament Notification List.pdf, 8. Property Owners Lao Sports Tournament Notification Letter Example.pdf			

Date	Ver.	Action By	Action	Result
6/6/2011	1	Mayor's Office	Signed	
6/1/2011	1	City Council	Adopted	Pass

Approving the application of Lao Family Community of MN, Inc. for a sound level variance in order to provide amplified sound from 8:00 a.m. until 9:00 p.m. on July 2 & 3, 2011 during the Annual Summer Sports Tournament at the McMurray Fields, 1155 Jessamine Avenue.

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, Lao Family Community of MN, Inc., represented by Long X. Yang, Executive Director, who has been designated as the responsible person on the application, has applied for a variance to provide amplified sound at McMurray Fields, 1155 Jessamine Avenue W.; and

WHEREAS, applicant is seeking a variance for the hours of 8:00 a.m. to 9:00 p.m. on July 2 & 3, 2011 during the Annual Summer Sports Tournament; and

WHEREAS, if applicant is not granted a variance it will not be able to provide amplified sound at 1155 Jessamine Avenue W.; 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 Lao Family Community of MN, Inc., subject to the following conditions:

1) The variance shall be for the hours of 8:00 a.m. to 9:00 p.m. on July 2 & 3, 2011.

2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured at 50 feet from the music stage, and 75 dBA at the soccer field location, as measured at the nearest residential receiver.

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 9:00 p.m. on each event date.

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

Lao Family Community of MN, Inc., represented by Long X. Yang, Executive Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide amplified sound, with limitations, from 8:00 a.m. until 9:00 p.m. on July 2 & 3, 2011 during the Annual Summer Sports Tournament. 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