



Legislation Text

File #: RES PH 14-113, **Version:** 1

Approving the application of FILO Productions Inc. for a sound level variance in order to present amplified music and/or announcements from 5:00 p.m. until 8:00 p.m. on Saturday, May 17, 2014 during the Twin Cities Burger Battle 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, FILO Productions Inc., represented by Jim Buron, Event Organizer, who has been designated as the responsible person on the application, has applied for a variance to present amplified music and/or announcements at Mears Park; and

WHEREAS, applicant is seeking a variance for the hours of 5:00 p.m. to 8:00 p.m. on Saturday, May 17, 2014 during the Twin Cities Burger Battle; and

WHEREAS, if applicant is not granted a variance it will not be able to present amplified music and/or announcements 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 FILO Productions Inc., subject to the following conditions:

- 1) The variance shall be for the hours of 5:00 p.m. to 8:00 p.m. on Saturday, May 17, 2014 at Mears Park.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured 50 feet from any sound source used for amplified music and/or announcements.
- 3) The applicant shall provide personnel and equipment to ensure compliance with the sound level variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 8:00 p.m. on the dates of the event.

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.

FILO Productions Inc., represented by Jim Buron, Event Organizer, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music, with limitations, from 5:00 p.m. to

8:00 p.m. on Saturday, May 17, 2014 during the Twin Cities Burger Battle 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