



## Legislation Text

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**File #:** RES PH 14-123, **Version:** 1

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Approving the application of the Metropolitan Council for a sound level variance for the Green Line Opening Event (Western Avenue Station) to allow amplified music, announcements, and speeches between 9:00 a.m. and 4:00 p.m. on June 14, 2014 at a parking lot near 394 University Avenue West.

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, the Metropolitan Council represented by Anne Taylor, Project Manager, who has been designated as the responsible person on the application, has applied for a variance to allow amplified music, announcements and speeches for the Green Line Opening Event (Western Avenue Station) to be held at a parking lot near 394 University Avenue West; and

WHEREAS, applicant is seeking a variance for the hours from 9:00 a.m. through 4:00 p.m. on June 14, 2014; and

WHEREAS, if applicant is not granted a variance it will not be able to present the amplified music, announcements and speeches for the Green Line Opening Event (Western Avenue Station) to be held at a parking lot near 394 University Avenue West; 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 the Metropolitan Council subject to the following conditions:

- 1) The variance will be for the hours from 9:00 a.m. through 4:00 p.m. on June 14, 2014 for the Green Line Opening Event (Western Avenue Station) to be held at a parking lot near 394 University Avenue West.
- 2) All electronically powered equipment used in conjunction with the event must not exceed 85 dBA, as measured at 50 feet from the sound source.
- 3) The applicant will provide personnel and equipment to ensure compliance with these conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 4:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above may result in denial of any future variance requests, in addition to any criminal citation which may be issued.

The Metropolitan Council represented by Anne Taylor, Project Manager, has requested a variance from the sound level limitations in Chapter 293.07, to allow amplified music, announcements and speeches between 9:00 a.m. through 4:00 p.m. on June 14, 2014 for the Green Line Opening Event (Western Avenue Station) to be held at a parking lot near 394 University Avenue West. 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