



## Legislation Text

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**File #:** RES PH 14-152, **Version:** 1

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Approving the application of Rachel Wiken & Katie White for a sound level variance in order to present amplified music & speeches for an event on Saturday, June 21, 2014 from 3:00 p.m. to 9:00 p.m. at the Como Park Midway Pavilion.

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, Rachel Wiken & Katie White who have been designated as the responsible persons on the application, have applied for a sound level variance to present amplified music & speeches near the Como Park Midway Pavilion; and

WHEREAS, applicant is seeking a variance for the hours of 3:00 p.m. to 9:00 p.m. on Saturday, June 21, 2014; and

WHEREAS, if applicant is not granted a variance it will not be able to present amplified music & speeches at the Como Park Midway Pavilion; 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 sound level variance to Rachel Wiken & Katie White, subject to the following conditions:

1. The variance will be for the hours of 3:00 p.m. to 9:00 p.m. on Saturday, June 21, 2014.
2. All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 85 dBA, as measured at 50 feet from the noise source.
3. The applicant will provide personnel and equipment who will ensure compliance with the sound level variance conditions.
4. 4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 9:00 p.m. on Saturday, June 21, 2014.
5. Rachel Wiken & Katie White must maintain a copy of the approved sound level variance at the event location and have it available for review by the City of Saint Paul Police or inspection personnel.

FURTHER RESOLVED, that any violations of the conditions set forth above on the June 21, 2014 event date may result in denial of future sound level variance requests, in addition to any criminal citation which might issue.

Rachel Wiken & Katie White have requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music & speeches, from 3:00 p.m. to 9:00 p.m. on Saturday, June 21, 2014 at the Como Park Midway Pavilion. 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