



Legislation Text

File #: RES PH 14-209, **Version:** 1

Approving the application of Colleen Healy, Irish Fair of Minnesota, for a sound level variance in order to provide amplified music and the use of a sound system from 7:00 p.m. until 10:00 p.m. on Thursday, August 7, 2014; from 3:00 p.m. to 11:00 p.m. on Friday, August 8, 2014; from 9:00 a.m. to 11:00 p.m. on Saturday, August 9, 2014; and from 9:00 a.m. to 7:00 p.m. on Sunday, August 10, 2014 during the Irish Fair of Minnesota at Harriet Island.

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, Irish Fair of MN, represented by Colleen Healy, Executive Director, who has been designated as the responsible person on the application, has applied for a variance to provide amplified sound at Harriet Island; and

WHEREAS, applicant is seeking a variance for the hours of 7:00 p.m. to 10:00 p.m. on Thursday, August 7, 2014, from 3:00 p.m. to 11:00 p.m. on Friday, August 8, 2014, from 9:00 a.m. to 11:00 p.m. on Saturday, August 9, 2014, and from 9:00 a.m. to 7:00 p.m. on Sunday, August 10, 2014 during the Irish Fair of MN at Harriet Island; and

WHEREAS, if applicant is not granted a variance she will not be able to provide the use of a sound system and amplified music at Harriet Island; 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 Colleen Healy, Irish Fair of MN at Harriet Island on August 7, 8, 9, & 10, 2014 for the following event locations and subject to the following conditions:

- 1) Target Main Stage:
 - a. The variance shall be for the hours of 9:00 a.m. until 10:00 p.m.
 - b. All electronically powered equipment, PA systems, loudspeakers, or other sound producing devices used in conjunction with the event must not exceed 100 dBA at sound mix or 100 feet from stage, whichever is the shorter distance.
- 2) Pub Stage (tent):
 - a. The variance shall be for the hours of 9:00 a.m. until 11:00 p.m.
 - b. All electronically powered equipment, PA systems, loudspeakers, or other sound producing devices used in conjunction with the event must not exceed 95 dBA at sound mix or 50 feet from stage, whichever is the shorter distance.

3) All other Stages:

- a. The variance shall be for the hours of 9:00 a.m. until 9:00 p.m.
- b. All electronically powered equipment, PA systems, loudspeakers, or other sound producing devices used in conjunction with the event must not exceed 95 dBA at sound mix or 50 feet from stage, whichever is the shorter distance.

4) The applicant shall provide personnel and equipment who must provide continuous sound level monitoring at each sound mix during the hours of the variance.

5) All electronically powered equipment, PA systems, loudspeakers, or similar devices must be turned off no later than the above-identified times at the specific locations on the event dates.

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

Irish Fair of MN, represented by Colleen Healy, Executive Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to provide amplified music and the use of a sound system, with limitations, from 7:00 p.m. to 10:00 p.m. on Thursday, August 7, 2014, from 3:00 p.m. to 11:00 p.m. on Friday, August 8, 2014, from 9:00a.m. to 11:00 p.m. on Saturday, August 9, 2014 and from 9:00 a.m. to 7:00 p.m. on Sunday, August 10, 2014 or at specific times and locations identified herein, on August 7, 8, 9, & 10, 2014 during the Irish Fair of MN at Harriet Island. 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