



## Legislation Text

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**File #:** RES PH 15-81, **Version:** 1

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Approving the application of Planned Parenthood Minnesota, North Dakota, South Dakota for a sound level variance for a Friday, April 3, 2015 Good Friday Solidarity Day Event from 8:00 a.m. to 4:00 p.m. on Charles Avenue between Vandalia Street and Pillsbury Street.

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, Planned Parenthood Minnesota, North Dakota, South Dakota represented by Shannon Zellmann, Director of Operations, who has been designated as the responsible person on the application, has applied for a variance for a Good Friday Solidarity Day Event on Friday, April 3, 2015 on Charles Avenue between Vandalia and Pillsbury Streets, and

WHEREAS, applicant has requested a variance for the hours of 8:00 a.m. to 4:00 p.m. on Friday, April 3, 2015; and

WHEREAS, if applicant is not granted a variance it will not be able to have the Event on Charles Avenue between Vandalia and Pillsbury Streets; 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 Planned Parenthood Minnesota, North Dakota, South Dakota, subject to the following conditions:

- 1) The variance shall be for the hours of 8:00 a.m. to 4:00 p.m. on Friday, April 3, 2015.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured 50 feet from any sound source including equipment used for speaker announcements.
- 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 4:00 p.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on Friday, April 3, 2015 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Planned Parenthood Minnesota, North Dakota, South Dakota, represented by Shannon Zellmann, Director of Operations, has requested an exemption from the sound level limitations in Chapter 293.07 for the Good Friday Solidarity Day Event on Friday, April 3, 2015, from 8:00 a.m. to 4:00 p.m. on Charles Avenue between Vandalia and Pillsbury Streets. 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