



Legislation Text

File #: RES PH 15-115, **Version:** 1

Approving the application of a Minnesota AIDS Project, The Minnesota AIDS Walk Event, for a sound level variance in order to allow amplified sound from a non-broadcast radio van located at the intersection of Mississippi River Boulevard North and Ford Parkway on Sunday, May 17, 2015 from 10:30 a.m. to 1:00 p.m.

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, Minnesota AIDS Project, The Minnesota AIDS Walk Event, represented by Beth Megas, Fundraising Coordinator, who has been designated as the responsible person on the application, has applied for a variance in order to allow amplified sound from a non-broadcast radio van. The radio van will be located at the intersection of Mississippi River Boulevard North and Ford Parkway during a charitable walk event; and

WHEREAS, applicant is seeking a variance for the hours of 10:30 a.m. to 1:00 p.m. on Sunday, May 17, 2015; and

WHEREAS, if applicant is not granted a variance it will not be able to allow amplified sound from a non-broadcast radio van located at the intersection of Mississippi River Boulevard North and Ford Parkway ; 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 Minnesota Aids Project, subject to the following conditions:

- 1) The variance shall be for the hours of 10:30 a.m. to 1:00 p.m. on Sunday, May 17, 2015.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA, as measured at 50 feet from the noise source.
- 3) The applicant shall provide personnel and equipment to monitor sound level limits as specified in Condition #2 during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 1:00 p.m. on Sunday, May 17, 2015.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 17, 2015 event date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Minnesota AIDS Project, The Minnesota AIDS Walk, represented by Beth Megas, has requested an exemption from the sound level limitations in Chapter 293.07 in order to allow amplified sound from a non-broadcast radio van with limitations, from 10:30 a.m. to 1:00 p.m. on Sunday, May 17, 2015. The non-broadcast radio van will be located at the intersection of Mississippi River Boulevard North and Ford Parkway during a charitable walk event. 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