



Legislation Text

File #: RES PH 15-178, **Version:** 1

Approving the application of John Andreozzi and Linda DeRoode, Festa Italiana MN, for a sound level variance in order to provide amplified music and the use of a sound system from 11:00 a.m. until 10:00 p.m. on Friday, July 17, 2015, and from 10:00 a.m. to 10:00 p.m. on Saturday, July 18, 2015, during the Festa Italiana MN Event 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, Festa Italiana MN, represented by John Andreozzi, President and Linda DeRoode, Festival Director, who have been designated as the responsible persons on the application, have applied for a variance to provide amplified sound at Harriet Island; and

WHEREAS, applicant is seeking a variance for the hours of 11:00 a.m. to 10:00 p.m. on Friday, July 17, 2015 and from 10:00 a.m. until 10:00 p.m. on Saturday, July 18, 2015, during the Festa Italiana MN Event 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 John Andreozzi and Linda DeRoode, Festa Italiana MN at Harriet Island on July 17 and 18, 2015 for the following event subject to the following conditions:

- 1) Target Main Stage:
 - a. The variance shall be for the hours of 11:00 a.m. until 10:00 p.m. on July 17, 2015 and from 10:00 a.m. until 10:00 p.m. on July 18, 2015.
 - b. All electronically powered equipment, PA systems, loudspeakers, or other sound producing devices used in conjunction with the event must not exceed 90 dBA at sound mix or 50 feet from stage, whichever is the shorter distance.
- 2) The applicant shall provide personnel and equipment who must provide continuous sound level monitoring at each sound mix during the hours of the variance.
- 3) 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.

Festa Italiana MN, represented by John Andreozzi, President and Linda DeRoode, Festival Director, have 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 11:00 a.m. to 10:00 p.m. on Friday, July 17, 2015 and from 10:00 p.m. to 10:00 p.m. on Saturday, July 18, 2015, during the Festa Italiana MN Event 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