



Legislation Text

File #: RES PH 16-3, **Version:** 1

Approving Saint Paul Festival & Heritage Foundation's request for a sound level variance, in order to present amplified music and entertainment in Rice Park, for the 2016 Saint Paul Winter Carnival from January 28, 2016 through February 7, 2016.

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, the Saint Paul Festival & Heritage Foundation, represented by Rosanne Bump, CEO, who has been designated as the responsible person on the application, has applied for a variance, with a requested sound level limit of 95 dBA at 100 feet to present amplified music and entertainment on a stage located in Rice Park, from January 28, 2016 through February 7, 2016; and

WHEREAS, if applicant is not granted a variance it will not be able to present the amplified music or entertainment in Rice Park; 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 the St. Paul Festival & Heritage Foundation, subject to the following conditions:

1. The variance will be for the Saint Paul Winter Carnival located in Rice Park for the following dates and times:
 - a. Thursday, January 28, 2016 from 11:00 AM to 9:00 PM;
 - b. Friday, January 29, 2016 from 9:00 AM to 10:00 PM;
 - c. Saturday, January 30, 2016 from 9:00 AM to 10:00 PM;
 - d. Sunday, January 31, 2016 from 9:00 AM to 10:00 PM;
 - e. Monday, February 1, 2016 from 11:00 AM to 9:00 PM;
 - f. Tuesday, February 2, 2016 from 11:00 AM to 9:00 PM;
 - g. Wednesday, February 3, 2016 from 11:00 AM to 9:00 PM;
 - h. Thursday, February 4, 2016 from 9:00 AM to 10:00 PM;
 - i. Friday, February 5, 2015 from 9:00 AM to 10:00 PM;
 - j. Saturday, February 6, 2016 from 9:00 AM to 10:00 PM; and
 - k. Sunday, February 7, 2015 from 9:00 AM to 10:00 PM.
2. All electronically powered equipment used in conjunction with the event, will not exceed 90 dBA, as measured 50 feet from any stage, PA system, loudspeaker or any similar device.
3. The applicant shall provide personnel and equipment to conduct continuous sound level monitoring during the event.
4. Except for the days and hours indicated in condition number 1, all electronically powered equipment,

PA systems, loudspeakers or similar devices will comply with the sound level limits indicated in Chapter 293 of the Saint Paul Legislative Code.

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 variance for the subsequent date(s), in addition to any criminal citation which might issue.