



## Legislation Text

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**File #:** RES PH 16-4, **Version:** 1

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Approving Saint Paul Festival & Heritage Foundation's request for a sound level variance, in order to present a radio station announcer and music for the 2016 Saint Paul Winter Carnival - Securian Winter Run on Saturday, January 30, 2016.

WHEREAS, 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 85 dBA at 50 feet to present a radio station announcer and music at 400 Robert Street North and at a second water stop location at Shepard Road and Jackson Street during a Saint Paul Winter Carnival Securian Run; and

WHEREAS, applicant is seeking a variance for the hours of 7:00 a.m. to 12:00 p.m., with a pre-event sound check from 7:00 a.m. until 7:30 a.m. on Saturday, January 30, 2016; and

WHEREAS, if applicant is not granted a variance it will not be able to present the radio station announcer and music at 400 Robert Street North and at a second water stop location at Shepard Road and Jackson Street; 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 shall be for the Saint Paul Winter Carnival - Securian Run located at 400 Robert Street North and at a second water stop location at Shepard Road and Jackson Street for the hours of 7:00 a.m. to 12:00 p.m., with a pre-event sound check from 7:00 a.m. until 7:30 a.m. on Saturday, January 30, 2016.
2. All electronically powered equipment used in conjunction with the event, will not exceed 85 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 day 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.

Saint Paul Festival & Heritage Foundation, represented by Rosanne Bump, CEO, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present a radio announcer and music at 400 Robert Street North and at a second water stop location at Shepard Road and Jackson Street, as part of the Saint Paul Winter Carnival - Securian Run, on Saturday, January 30, 2016. 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