



Legislation Text

File #: RES PH 16-163, **Version:** 1

Approving the application of Minnesota Bicycle Festivals Inc. for a sound level variance in order to present amplified music and announcements near the corner of 6th Street and Sibley Street on Wednesday, June 15, 2016 from 4:30 p.m. to 9:30 p.m. for the St. Paul Downtown Criterium.

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 Bicycle Festivals Inc., represented by Carlos Villalpando, Director of Operations, who has been designated as the responsible person on the application, has applied for a variance to present amplified music and announcements, from 4:30 to 9:30 p.m., with a pre-event sound check at 3:00 p.m., located near the corner of 6th Street and Sibley Street, for the St. Paul Downtown Criterium on Wednesday, June 15, 2016; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present the amplified music or announcements near the corner of 6th Street and Sibley 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 sound level variance to Minnesota Bicycle Festivals Inc., subject to the following conditions:

1. The variance will be for the St. Paul Downtown Criterium located near the corner of 6th Street and Sibley Street on June 15, 2016 from 4:30 p.m. to 9:30 p.m., with a pre-event sound check at 3:00 p.m.
2. All electronically powered equipment, PA system, loudspeaker or any similar device used in conjunction with the event, will not exceed 85 dBA, as measured 50 feet from any stage or sound source.
3. The applicant shall provide personnel and equipment to ensure compliance with the variance conditions.
4. All electronically powered equipment, PA systems, loudspeakers or similar devices will be turned off by 9:30 p.m. on June 15, 2016.
5. A copy of this sound level variance must be maintained at the event location and be available for review by the City of Saint Paul Police or inspection personnel.

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.

Minnesota Bicycle Festivals Inc., represented by Carlos Villalpando, Director of Operations, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music and announcements near the corner of 6th Street and Sibley Street, for the St. Paul Downtown Criterium on Wednesday, June 15, 2016 from 4:30 p.m. to 9:30 p.m., with a pre-event sound check at 3:00 p.m. 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