



## Legislation Text

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**File #:** RES PH 16-221, **Version:** 1

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Approving the application of St. Paul Saints Baseball Club Inc. for a sound level variance to present an All Star Game Home Run Derby and Concert Event with amplified music and use of a public address system outdoors on Monday, August 1, 2016 at CHS Field, 360 Broadway Street.

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 St Paul Saints Baseball Club, Inc., represented by Tom Whaley, Executive Vice President, who has been designated as the responsible person on the application, has applied for a variance, at a requested sound level limit of 100 dBA at 100 feet or mix position to present an All Star Game Home Run Derby and Concert Event with outdoor amplified music and use of public address system at CHS Field, 360 Broadway Street; and

WHEREAS, applicant is seeking a variance for the hours of 7:30 p.m. to 10:00 p.m. , with a pre-event sound check at 3:00 p.m. to present amplified music and use of a public address system outdoors, on Monday, August 1, 2016, for an All Star Game Home Run Derby and Concert Event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present outdoor amplified music with use of a public address system outdoors at CHS Field, 360 Broadway 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 St Paul Saints Baseball Club Inc., subject to the following conditions:

- 1) The variance will be for an All Star Home Run Derby and Concert Event with amplified music and use of a public address system, and the hours of 7:30 p.m. to 10:00 p.m., with a pre-event sound check at 3:00 p.m. on Monday, August 1, 2016;
- 2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed 100 dBA as measured 100 feet from the sound source.
- 3) The applicant will provide personnel and equipment to ensure compliance with the sound level variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 10:00 p.m. on Monday, August 1, 2016.

FURTHER RESOLVED, that any violations of the conditions set forth above, may result in denial of any future variances, in addition to any criminal citation which may be issued.

St Paul Saints Baseball Club, Inc., represented by Tom Whaley, Executive Vice President, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present an All Star Home Run Derby and Concert with amplified music and use of a public address system, with limitations, from 7:30 p.m. to 10:00 p.m., with a pre-event sound check at 3:00 p.m. on Monday, August 1, 2016, at CHS Field, 360 Broadway Street. 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