



## Legislation Text

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**File #:** RES PH 17-143, **Version:** 1

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Approving the application of Minnesota Bicycle Festivals Inc. for a sound level variance in order to present amplified music and announcements at 788 Grand Avenue for the North Star Bike Festival on Wednesday, June 14, 2017 from 4:30 p.m. to 9:30 p.m.

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 Festival, represented by Carlos Villalpando, Venue Coordinator, who has been designated as the responsible person on the application, has applied for a variance at no specified sound level limit or distance 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 at 788 Grand Avenue, for the North Star Bike Festival on Wednesday, June 14, 2017; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present the amplified music or announcements at 788 Grand Avenue; 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 North Star Bike Festival located at 788 Grand Avenue on June 14, 2017 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 65 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 14, 2017.
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 Festival, represented by Carlos Villalpando, Venue Coordinator, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music and announcements at 788 Grand Avenue, for the North Star Bike Festival on Wednesday, June 14, 2017 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