



## Legislation Text

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**File #:** RES PH 17-246, **Version:** 1

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Approving the application of Mick Sterling, The 30 Days Foundation, for a sound level variance in order to present announcements and music during Let There Be Drums on Tuesday, September 19 and Wednesday, September 20, 2017 at Harriet Island.

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 30 Days Foundation, represented by Mick Sterling, Event Coordinator, who has been designated as the responsible person on the application, has applied for a variance, at a requested sound level limit of 90 dBA at no specified distance, to present announcements and music at Harriet Island; and

WHEREAS, applicant is seeking a variance for the hours of 4:00 p.m. until 6:30 p.m., with a pre-event sound check from 2:00 p.m. until 4:00 p.m. on Tuesday, September 19, 2017 and Wednesday, September 20, 2017 at Harriet Island, during Let There Be Drums; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present announcements and music at Harriet Island; 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 Mick Sterling, The 30 Days Foundation, subject to the following conditions:

- 1) The variance shall be for the hours of 4:00 p.m. to 6:30 p.m., with pre-event sound check from 2:00 p.m. until 4:00 p.m. on September 19 and September 20, 2017.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured 50 feet from sound source.
- 3) The applicant shall provide personnel and equipment to ensure compliance with the sound level variance conditions. The applicant may need to provide a barrier, to act as a sound absorber to contain excess sound from leaving the area.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 6:30 p.m. on the dates of the event.

FURTHER RESOLVED, that any violations of the conditions set forth above on the first date may result in revocation of the grant of a variance for the subsequent date, in addition to any criminal citation which might issue.

The 30 Days Foundation, represented by Mick Sterling, Event Coordinator, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present announcements and music, with limitations, from 4:00 p.m. to 6:30 p.m., on Tuesday, September 19 and Wednesday, September 20, 2017, during Let There Be Drums at Harriet Island. 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