Legislation Text

File #: RES PH 18-129, **Version:** 1

Approving the application of Jim Buron Productions, Inc. for a sound level variance in order to present announcements and amplified music on Saturday, May 19, 2018 at Harriet Island during the Twin Cities Burger Battle.

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, Jim Buron Productions,Inc. represented by James Buron, Event Organizer, who has been designated as the responsible person on the application, has applied for a variance, at a requested sound level limit of 100 decibels (dBA) at 100 feet to present announcements and amplified music at Harriet Island; and

WHEREAS, applicant is seeking a variance for the hours of 4:00 p.m. until 8:30 p.m., with a pre-event sound check at 3:00 p.m. on Saturday, May 19, 2018 at Harriet Island, during the Twin Cities Burger Battle; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present announcements and amplified 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 Jim Buron Productions, Inc. subject to the following conditions:

1) The Variance shall be for the hours of 4:00 p.m. to 8:30 p.m., with a pre-event sound check at 3:00 p.m. on Saturday, May 19, 2018.

2) All electronically powered equipment used in conjunction with the event shall not exceed 95 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 8:30 p.m. on the date 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.

Jim Buron Productions, represented by Jim Buron, Event Organizer, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present announcements and amplified music, with limitations, from 4:00 p.m. to 8:30 p.m., on Saturday, May 19, 2018, during the Twin Cities Burger Battle 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