



Legislation Text

File #: RES PH 18-201, **Version:** 1

Approving the application of India Association of Minnesota for a sound level variance in order to provide amplified sound for India Fest on Saturday, August 18, 2018, at the State Capitol.

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, India Association of Minnesota, represented by Rani Sagi, Board Chair, has applied for a variance at a requested sound level limit of 90 dBA at 100 feet, to provide amplified music and the use of a sound system for announcements, speeches and music at the State Capitol; and

WHEREAS, applicant is seeking a variance from 11:00 a.m. until 10:00 p.m., with a pre-event sound check at 8:00 a.m. on Saturday, August 18, 2018 during India Fest at the State Capitol-Front Steps area; and

WHEREAS, if applicant is not granted a variance they will not be able to provide the use of a sound system and amplified music at the State Capitol; 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 Rani Sagi, Board Chair, for India Fest at the front steps of the State Capitol subject to the following conditions:

- 1) The variance shall be for the hours of 11:00 a.m. until 10:00 p.m., with a pre-event sound check at 8:00 a.m. on Saturday, August 18, 2018.
- 2) All electronically powered equipment, PA systems, loudspeakers, or similar devices will only be located at the locations indicated, as facing south on the venue diagram, submitted as part of the sound level variance application.
- 3) All electronically powered equipment, PA systems, loudspeakers, or similar devices used in conjunction with the event must not exceed 90 dBA at 50 feet from the sound source for the stage with speakers facing south at the front steps of the State Capitol.
- 4) The applicant will provide personnel and equipment to provide continuous sound level monitoring to ensure compliance with the sound level variance conditions.
- 5) All electronically powered equipment, PA systems, loudspeakers, or similar devices must be turned off no later than 10:00 p.m. on August 18, 2018.

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.

Rani Sagi has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified music with speakers, from 11:00 a.m. until 10:00 p.m. on Saturday, August 18, 2018 for live music at the State Capitol. 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