



## Legislation Text

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**File #:** RES PH 18-220, **Version:** 1

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Approving the application of Water Lantern Festival for a sound level variance to present announcements and amplified music on Saturday, August 25, 2018 at Phalen Park for the Water Lantern Festival Twin Cities.

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, Water Lantern Festival, represented by Jared Pierson, Event Organizer, has applied for a variance at a requested sound level limit of 95 decibels (dBA) at 95 feet to present announcements and amplified music at Phalen Park; and

WHEREAS, applicant is seeking a variance for the hours of 5:00 p.m. until 10:00 p.m., with a pre-event sound check at 11:00 a.m. on Saturday, August 25, 2018 at Phalen Park, for the Water Lantern Festival Twin Cities; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present announcements and amplified music at Phalen Park; 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 Water Lantern Festival subject to the following conditions:

- 1) The variance shall be for the hours of 5:00 p.m. to 10:00 p.m., with a pre-event sound check at 11:00 a.m. on Saturday, August 25, 2018.
- 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 10:00 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.

Water Lantern Festival, represented by Jared Pierson, has requested an exemption from the sound level

limitations in Chapter 293.07 in order to present announcements and amplified music, with limitations, from 5:00 p.m. to 10:00 p.m., on Saturday, August 25, 2018, for the Water Lantern Festival Twin Cities at Phalen Park. 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