



Legislation Text

File #: RES PH 18-334, **Version:** 1

Approving the application of Podium Sports Marketing for a sound level variance to present amplified music and announcements on Shepard Road at Washington Street and at Sherman Street for the Turkey Trot Saint Paul on Thursday, November 22, 2018.

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, Podium Sports Marketing, represented by Isaac Milkey, Operations Manager, who has been designated as the responsible person on the application, has applied for a variance, at a requested sound level limit of 85 dBA at no specified distance, to present amplified music and announcements from 7:15 a.m. until 10:00 a.m., with a pre-event sound check at 7:00 a.m. on Shepard Road at Washington Street and at Sherman Street for the Event Start and Event Finish for the Turkey Trot Saint Paul on Thursday, November 22, 2018; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present the amplified music or announcements on Shepard Road at Washington Street and at Sherman Street; 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 Podium Sports Marketing, subject to the following conditions:

- 1) The Variance will be for the Turkey Trot Saint Paul located on Shepard Road at Washington Street and at Sherman Street for the Event Start and Finish on November 22, 2018 from 7:15 a.m. to 10:00 a.m. with a pre-event sound check at 7:15 a.m.
- 2) All electronically powered equipment, PA system, loudspeaker or any similar device used in conjunction with the event, will not exceed 85 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 10:00 a.m. on November 22, 2018.
- 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.

Podium Sports Marketing, represented by Isaac Milkey, has requested an exemption from the sound level limitations, in Chapter 293.07 in order to present amplified music and announcements on Shepard Road at Washington Street and at Sherman Street for the Event Start and Finish, for the Turkey Trot Saint Paul on Thursday, November 22, 2018 from 7:15 a.m. to 10:00 a.m., with a pre-event sound check at 7:00 a.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