



## Legislation Text

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**File #:** RES PH 19-194, **Version:** 1

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Approving the application of Minnesota United FC & Allianz Field for two sound level variances to present amplified music on Saturday, July 13, and Saturday, July 27, 2019 at 400 Snelling Avenue North.

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, MN United FC & Allianz Field, represented by Zacharia Litzelswope, Director of Events and Guest Experiences, has applied for a variance, at a requested sound level limit of 105 decibels (dBA) at no specified distance, to present pre-event amplified music on the street and a DJ Booth within the Beer Garden area at 400 Snelling Avenue N; and

WHEREAS, applicant is seeking a variance for the hours of 4:30 p.m. until 11:00 p.m., with a pre-event sound check at 3:30 p.m. on Saturday, July 13, 2019 and Saturday, July 27, 2019 at 400 Snelling Avenue N for the pre-game MN United FC vs Houston Dynamo and MN United FC vs Vancouver Whitecaps- MLS Games; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present live and DJ Booth amplified music on the street and within the Beer Garden area at 400 Snelling Avenue N; 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 MN United FC & Allianz Field, subject to the following conditions:

- 1) The Variances shall be for the hours of 4:30 p.m. to 11:00 p.m., with a pre-event sound check at 3:30 p.m. on Saturday, July 13, 2019 and Saturday, July 27, 2019.
- 2) All electronically powered equipment used in conjunction with the pre-game event shall not exceed 95 dBA at 50 feet from the sound source.
- 3) The applicant shall provide personnel and equipment to for continuous sound level monitoring to ensure compliance with the sound level limit stated in condition number two (2).
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 11:00 p.m. on the dates of the events.

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.

MN United FC & Allianz Field has requested an exemption from the sound level limitations in Chapter 293.07

in order to present live and DJ Booth amplified music on the street and within the Beer Garden area, from 4:30 p.m. to 11:00 p.m., with a pre-event sound check at 3:30 p.m. on Saturday, July 13, 2019 and Saturday, July 27, 2019 for the MN United FC and Allianz Field at 400 Snelling Ave N. 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