Legislation Text

File #: RES PH 19-321, **Version:** 1

Approving the application of Anderson Race Management for a sound level variance for outdoor music and announcements for the Run Like A Girl 5K Event on September 29, 2019 at Como Park - Midway Picnic Pavilion.

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, Anderson Race Management, represented by Jennifer Williams, Director of Events, who has been designated as the responsible person on the application, has applied for a variance, at no requested sound level limit or distance, to present outdoor music and announcements at Como Park, Midway Picnic Pavilion, 1199 Midway Parkway during the Run Like A Girl 5K Event; and

WHEREAS, applicant is seeking a variance for the hours of 8:00 a.m. until 1:00 p.m., with a pre-event sound check at 8:00 a.m., on Sunday, September 29, 2019; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present outdoor music and announcements at Como Park Midway Pavilion; 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 Anderson Race Management, subject to the following conditions:

1) The Variance shall be for the hours of 8:00 a.m. until 1:00 p.m., with a pre-event sound check at 8:00 a.m., on Sunday, September 29, 2019.

2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA, as measured at 50 feet from the noise source.

3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at all stages and each sound mix during the hours of the variance.

4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 1:00 p.m. on September 29, 2019.

FURTHER RESOLVED, that any violations of the conditions set forth above on the September 29, 2019 event date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Anderson Race Management, represented by Jennifer Williams, has requested an exemption from the sound

level limitations in Chapter 293.07 in order to present outdoor music and announcements, with limitations, from 8:00 a.m. to 1:00 p.m. on Sunday, September 29, 2019 at Como Park during the Run Like A Girl 5K Event. 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