Legislation Text

File #: RES PH 21-172, **Version:** 1

Approving the application of Water Lantern Festival for a sound level variance in order to present amplified sound on July 31, 2021 at 1400 Phalen Drive-Phalen Park Beach House.

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 Coordinator, who has been designated as the responsible person on the application, has applied for a variance, for 85 dBA at no specified distance, to present amplified sound at 1400 Phalen Dr.-Phalen Park Beach House; and

WHEREAS, applicant has requested a variance for the hours from 6:00 p.m. to 10:00 p.m. on Saturday, July 31, 2021 with a pre-event sound check at 5:30 p.m. for their Water Lantern Festival Twin Cities Event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 1400 Phalen Dr.-Phalen Park Beach House; 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 6:00 p.m. to 10:00 p.m. on Saturday, July 31, 2021 with a pre-event sound check at 5:30 p.m.

2) All electronically powered equipment used in conjunction with the event shall not exceed 85 dBA as measured at 50 feet from all sound sources.

3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at 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 10:00 p.m. July 31, 2021, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the July 31, 2021 date may result in denial of future requests for the grant of a noise variance, 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 amplified sound, with limitations, from 6:00 p.m. to 10:00 p.m. on July 31, 2021. 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

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