

.. Title

An Ordinance Amending Chapter 293 of the Saint Paul Legislative Code to allow certain Events to obtain one Amplified Sound Permit for multiple days.

.. Body

## THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

### SECTION 1

WHEREAS, Ordinance 23-60 amended Chapter 293 of the Saint Paul Legislative Code to add a provision for Amplified Sound Permits; and

WHEREAS, events that may require an Amplified Sound Permit can be multiple days; and

WHEREAS, events with multiple dates that are substantially similar in nature do not need multiple staff reviews; and

WHEREAS, the Department of Safety and Inspections and the Department of Parks and Recreation would like to allow event organizers to provide one public notice for substantially similar multi-day events; Now, therefore, be it

RESOLVED, that the Saint Paul City Council does hereby ordain that Saint Paul Legislative Code Chapter 293 is hereby amended as follows:

### SECTION 2

Section 293.01 of the Saint Paul Legislative Code is hereby amended to read as follows:

#### **293.01 Definitions.**

As used in this chapter, the following terms have the meanings ascribed to them in this section.

- (1) *Amplified sound.* Any sound that is made louder through a human made device.
- (2) *Construction.* Any site preparation, assembly, erection, substantial repair, alteration or similar action, but excluding demolition.
- (3) *Demolition.* Dismantling or intentional removal of structures, utilities, public or private right-of-way surfaces or similar property.
- (4) *Department.* The Department of Safety and Inspections.
- (5) *Director.* The Director of the Department or their designee.
- (6) *Domestic power tools.* Any mechanically powered saw, drill, sander, grinder, lawn or garden tool, lawn mower, or powered snow removal equipment, or other similar device commonly used outdoors, except for the manufacture, commercial repair or prolonged testing of such tools.

~~(7)~~ (8) *Event*. A temporary gathering of people that is held within the city and for which attendance is free or for charge.

~~(7)~~(8) *Noisy Assembly*. A gathering of more than one person in a residentially zoned or used area or building that causes significant discomfort or annoyance to a reasonable person of ordinary sensitivities present in the area, considering the time of day and the residential character of the area, due to loud, disturbing or excessive noise.

~~(8)~~(9) *Non-Residential Amplified Sound Permit*. Non-Residential Amplified Sound Permit review and issued by the Department to an applicant located in any area that is not within the Department of Parks and Recreation owned or operated property and outside of the boundaries for areas requiring a Residential Amplified Sound Permit.

~~(9)~~(10) *Parks Amplified Sound Permit*. Amplified Sound Permits located on Department of Parks and Recreation owned or operated property. Parks Amplified Sound Permit applications are reviewed and issued by Parks and Recreation in any land use category as defined in table 1 of §293.07.

~~(40)~~(11) *PCA Definitions adopted*. Pursuant to Minnesota Statutes, §471.62, the definitions contained in the Minnesota Pollution Control Agency Air Quality Division Noise Pollution Control Rules, Section 7030.0020, are hereby adopted by reference.

~~(14)~~(12) *Residential Amplified Sound Permit*. Amplified Sound Permit issued for Residential land use categories as defined in Class 1 of Table 1 of § 293.07. Residential Amplified Sound Permits are not required for Property owned or operated by Parks and Recreation.

~~(42)~~(13) *Sound level (or noise level)*. The A-weighted sound pressure level, expressed in dBA, obtained by the use of a sound level meter having characteristics as specified in the ANSI Standard S1.4-1983.

### SECTION 3

Section 293.09 of the Saint Paul Legislative Code is hereby amended to read as follows:

#### **Sec. 293.09. Amplified Sound Permits.**

(a) General Guidelines for issuing Amplified Sound Permits:

1. Permit Fees. Fees for Amplified Sound Permits are \$138 for each ~~calendar day~~ event for which amplified sound which exceeds the levels defined in Table 1 is played or operated. To be considered one permit, multi-day events shall be substantially similar.
2. Permit Duration. Amplified Sound Permits may only be issued to permit amplified sound which exceeds the levels defined in Table 1 between the hours of 7:00 a.m. and 10:00 p.m., Sunday through Thursday and 7:00 a.m. through 11:00 p.m. Friday and Saturday.

3. Permit Allowed Sound Levels.
  - a. Residential: Up to 80 dBA measured at 50 feet from sound source.
  - b. Non-residential: Up to 90dBA measured at 50 feet from sound source.
4. Frequency of Permits. Amplified Sound Permits for one property are limited to twelve (12) hours in any one (1) day, twenty-four (24) hours in any seven (7) day period and thirty-six (36) hours in any twenty-eight (28) day period.
5. Permit Application Requirements. Applicants must submit, a completed Permit Application, the Permit Fee and proof that the applicant has sent notice to their District Council and all adjacent properties within a three-hundred-foot radius.
6. No Amplified Sound Permit may be issued that would locate the source of any amplified music, announcements, or cheer stations on Spring Street or Chestnut Plaza.

#### SECTION 4

This Ordinance shall take effect and be in force thirty (30) days following its passage, approval and publication.