



Legislation Details (With Text)

File #: RES PH 22-191 **Version:** 1

Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 7/20/2022

Title: Approving the application of Agape Love Church for a sound level variance in order to present live amplified sound on July 30, 2022 at 995 University Ave.

Sponsors: Dai Thao

Indexes: Ward - 1

Code sections:

Attachments: 1. Application, 2. ENS, 3. Map, 4. Owners list, 5. Notice to Owner, 6. Letter to Applicant, 7. Jean Opatrny public comment

Date	Ver.	Action By	Action	Result
7/21/2022	1	Mayor's Office	Signed	
7/20/2022	1	City Council	Adopted As Amended	Pass

Approving the application of Agape Love Church for a sound level variance in order to present live amplified sound on July 30, 2022 at 995 University Ave.

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, Agape Love Church, Pastor Song Lee and Secretary Xeng Vang, who have been designated as the responsible persons on the application, has applied for a variance, for a requested sound level limit of 95 dBA at no specified distance, to present amplified sound at 995 University Ave.; and

WHEREAS, applicant has requested a variance for the hours from 3:00 p.m. to 6:00 p.m. with pre-event sound check from 1:00 p.m. to 3:00 p.m. on July 30, 2022 for the Agape Love Church Outreach Event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 995 University Ave.; 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 Agape Love Church, subject to the following conditions:

1) The Variance shall be for the hours from 3:00 p.m. to 6:00 p.m. with pre-event sound check from 1:00 p.m. to 3:00 p.m. on Saturday, July 30, 2022.

- 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 6:00 p.m. July 30, 2022, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the July 30, 2022 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Agape Love Church, Pastor Song Lee and Secretary Xeng Vang, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 3:00 p.m. to 6:00 p.m. with pre-event sound check from 1:00 p.m. to 3:00 p.m. on July 30, 2022. 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