



## Legislation Details (With Text)

**File #:** RES PH 23- 251 **Version:** 1

**Type:** Resolution-Public Hearing **Status:** Passed

**In control:** City Council

**Final action:** 9/6/2023

**Title:** Approving the application of Lumen Christi Catholic Community for a sound level variance in order to present amplified sound on September 9, 2023 at 1668 Montreal Avenue - Urban Academy Charter School baseball fields.

**Sponsors:** Chris Tolbert

**Indexes:** Ward - 3

**Code sections:**

**Attachments:** 1. Application, 2. ENS, 3. Map, 4. Notice to Owners, 5. Owners List, 6. Letter to Applicant

Date	Ver.	Action By	Action	Result
9/8/2023	1	Mayor's Office	Signed	
9/6/2023	1	City Council	Adopted	Pass

Approving the application of Lumen Christi Catholic Community for a sound level variance in order to present amplified sound on September 9, 2023 at 1668 Montreal Avenue - Urban Academy Charter School baseball fields.

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, Lumen Christi Catholic Community, represented by Ryan Rehkamp, Parish Director, who has been designated as the responsible person on the application, has applied for a variance, for a requested sound level limit of 90 dBA at no specified distance, to present amplified sound at 1668 Montreal Ave. - Urban Academy Charter School baseball fields; and

WHEREAS, applicant has requested a variance for the hours of 4:30 p.m. to 10:00 p.m. with a pre-event sound check at 4:00pm on September 9, 2023 for a Block Party; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 1668 Montreal Ave. - Urban Academy Charter School baseball fields; 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 the Church of Lumen Christi, subject to the following conditions:

1) The Variance shall be for the hours from 4:30 p.m. to 10:00 p.m. with a pre-event sound check at 4:00pm on Saturday, September 9, 2023.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 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 source 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. September 9, 2023, the event date.

FURTHER RESOLVED, that any violation of the conditions set forth above on any of the dates may result in revocation of this variance for the remaining date(s), in addition to any criminal citation which might issue.

FURTHER RESOLVED, that any violations of the conditions set forth above on the September 9, 2023 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Lumen Christi Catholic Community, represented by Ryan Rehkamp, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 4:30 p.m. to 10:00 pm with a pre-event sound check at 4:00pm on September 9, 2023. 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