



Legislation Details (With Text)

File #: RES PH 19- 314 **Version:** 1

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In control: City Council

Final action: 9/11/2019

Title: Approving the application of Iglesia Cristiana Cedros del Libano for a sound level variance for amplified and live music on September 14, 2019 at 1003 Arcade Street and 1000 Walsh Street for the 15th Anniversary.

Sponsors: Kassim Busuri

Indexes: Ward - 6

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 |
|-----------|------|----------------|---------|--------|
| 9/13/2019 | 1 | Mayor's Office | Signed | |
| 9/11/2019 | 1 | City Council | Adopted | Pass |

Approving the application of Iglesia Cristiana Cedros del Libano for a sound level variance for amplified and live music on September 14, 2019 at 1003 Arcade Street and 1000 Walsh Street for the 15th Anniversary.

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, Iglesia Cristiana Cedros del Libano, represented by Rene Campos, Church Member, has applied for a variance, with a sound level request of 80 dBA at no specified distance, to present amplified and live music at 1003 Arcade St. and the 1000 Walsh Street Ballfield; and;

WHEREAS, applicant is seeking a variance for the hours of 3:00 p.m. until 6:00 p.m., with a pre-event sound check from 1:00 p.m. until 3:00 p.m., on Saturday, September 14, 2019 at 1003 Arcade St. and the 1000 Walsh Street Ballfield for the 15th Anniversary; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present live and amplified music at 1003 Arcade St. and the 1000 Walsh Street Ballfield; 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 Iglesia Cristiana Cedros del Libano, subject to the following conditions:

- 1) The Variance shall be for the hours of 3:00 p.m. to 6:00 p.m., with a pre-event sound check from 1:00 p.m. until 3:00 p.m., on Saturday, September 14, 2019.

- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured 50 feet from sound source.
- 3) The applicant shall provide personnel and equipment to ensure compliance with the sound level variance conditions.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 6:00 p.m. on the date of the event.

FURTHER RESOLVED, that any violations of the conditions set forth above on the first date may result in revocation of the grant of a variance for the subsequent date, in addition to any criminal citation which might issue.

Iglesia Cristiana Cedros del Libano has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified and live music, with limitations, from 3:00 p.m. to 6:00 p.m., with a pre-event sound check at 1:00 p.m., on Saturday, September 14, 2019, for the 15th Anniversary at 1003 Arcade St. and the 1000 Walsh Street Ballfield. 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