



Legislation Details (With Text)

File #: RES PH 24- 39 **Version:** 1
Type: Resolution-Public Hearing **Status:** Passed
In control: City Council
Final action: 3/13/2024

Title: Approving the application of Pro-Life Action Ministries for a sound level variance in order to present amplified sound for the Good Friday Solemn Prayer Vigil on March 29, 2024 at the intersection of Charles Avenue and Vandalia Street. (public hearing closed and laid over from February 28, 2024)

Sponsors: Mitra Jalali

Indexes: Ward - 4

Code sections:

Attachments: 1. Application, 2. ENS, 3. Map, 4. Notice to Owners, 5. Owners List, 6. Letter to Applicant, 7. Andrea Buiser public comment, 8. John Purdy public comment, 9. Brian Walker public comment

Date	Ver.	Action By	Action	Result
3/20/2024	1	Mayor's Office	Signed	
3/13/2024	1	City Council	Adopted	Pass
2/28/2024	1	City Council	Laid Over	Pass

Approving the application of Pro-Life Action Ministries for a sound level variance in order to present amplified sound for the Good Friday Solemn Prayer Vigil on March 29, 2024 at the intersection of Charles Avenue and Vandalia Street. (public hearing closed and laid over from February 28, 2024)

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, Pro-Life Action Ministries, represented by Brian Walker, Program Director, who has been designated as the responsible person on the application, has applied for a variance, for a requested sound level limit of 120 dBA at no specified distance from the sound source, to present amplified sound at the intersection of Charles Ave and Vandalia Street; and

WHEREAS, applicant has requested a variance for the hours of 9:00 a.m. to 4:30 p.m., with a pre-event sound check from 8:00 a.m., on Friday March 29, 2024 for the Good Friday Solemn Prayer Vigil; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at the intersection of Charles Ave and Vandalia St; 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 Pro-Life Action Ministries, subject to the following conditions:

- 1) The Variance shall be for the hours of 9:00 a.m. to 4:30 p.m. on Friday, March 29, 2024.
- 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 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 4:30 p.m. March 29, 2024, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the March 29, 2024 date may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Pro-Life Action Ministries, represented by Brian Walker, Program Director, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 9:00 a.m. to 4:30 p.m. with a pre-event sound check from 8:00 a.m. on Friday March 29, 2024. 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