



Legislation Text

File #: RES PH 21-88, **Version:** 1

Approving the application of Awaken Covenant Community for a sound level variance in order to present live amplified sound on May 9, 16, 23, 30, June 6, 13, 20, 27, July 4, 11, 18, and 25, 2021, at 1200 Montreal Avenue, Highland Park Pavilion.

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, Awaken Covenant Community, represented by Micah Witham, Senior Pastor, who has been designated as the responsible person on the application, has applied for a variance, at 86 dBA at no specified distance, to present amplified sound at 1200 Montreal Ave.-Highland Park Pavilion; and

WHEREAS, applicant has requested a variance for the hours from 10:00 a.m. to 12:00 p.m. on May 9, 16, 23, 30, June 6, 13, 20, 27 and July 4, 11, 18 and 25, 2021 with a pre-event sound check at 8:00 a.m. for Service and Gathering Events; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 1200 Montreal 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 Awaken Covenant Community, subject to the following conditions:

- 1) The Variance shall be for the hours from 10:00 a.m. to 12:00 p.m. on May 9, 16, 23, 30, June 6, 13, 20, 27 and July 4, 11, 18 and 25, 2021 with a pre-event sound check at 8:00 a.m.
- 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 12:00 p.m. May 9, 16, 23, 30, June 6, 13, 20, 27 and July 4, 11, 18 and 25, 2021, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the May 9, 16, 23, 30, June 6, 13, 20, 27 and July 4, 11, 18 and 25, 2021 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Awaken Covenant Community, represented by Micah Witham, have requested an exemption from the sound

level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 10:00 a.m. until 12:00 p.m. on May 9, 16, 23, 30, June 6, 13, 20, 27 and July 4, 11, 18 and 25, 2021. 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