Legislation Text

File #: RES PH 21-113, **Version:** 1

Approving the application of Bethel Christian Fellowship for a sound level variance to present amplified sound on Sundays for Outside Worship Services beginning Sunday, May 16 through Sunday, October 31, 2021 at 1466 Portland Ave-Back Parking Lot.

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, Liz Kimmel, Communication Coordinator, who has been designated as the responsible person on the application, has applied for a sound level variance at a requested level of 65-90 dBA at no specified distance, to present amplified sound. Proposed times of operation are from 10:00 a.m. until 12:00 p.m., with a pre-event sound check from 9:00 a.m. to 10:00 a.m. Sundays for outdoor worship services, beginning Sunday, May 16 through Sunday, October 31, 2021 at 1466 Portland Ave.; and

WHEREAS, if applicant is not granted the variances, applicants will not be able to present the outdoor music series at 1466 Portland Ave.; and

WHEREAS, the Department of Safety and Inspections (DSI) 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 Bethel Christian Fellowship, subject to the following conditions:

1) The Variance will be for outdoor worship services on Sundays, beginning Sunday, May 16 through Sunday, October 31, 2021, for amplified sound from 10:00 a.m. until 12:00 p.m., with a pre-event sound check from 9:00 a.m. to 10:00 a.m. at 1466 Portland Ave.

2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the events must not exceed 85 dBA, as measured at 50 feet from the noise source during the proposed, specified hours for each of the designated Sunday event hours.

3) The applicant shall provide personnel and equipment who will provide sound level monitoring 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 12:00 p.m. on the dates of the event beginning Sunday, May 16 through Sunday, October 31, 2021.

FURTHER RESOLVED, that any violations 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.

Liz Kimmel, Communication Coordinator, has requested an exemption from the sound level limitations in

Chapter 293.07 in order to present amplified sound on Sundays for Outdoor Worship Services beginning Sunday, May 16 through Sunday, October 31, 2021 at 1466 Portland Ave. from 10:00 a.m. until 12:00 p.m., with a pre-event sound check from 9:00 a.m. to 10:00 a.m. 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

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