Legislation Details (With Text)

File #:	RES PH 16-279 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	9/7/2016

Title: Approving the application of Catholic Schools Center of Excellence (CSCOE), All School Mass, for a sound level variance to present a Mass with worship music and amplified music playing after the Mass with use of a public address system outdoors on Thursday, September 22, 2016, with a pre-event sound check on Wednesday, September 21, 2016 at CHS Field, 360 Broadway Street.

Sponsors: Rebecca Noecker

Indexes: Ward - 2

Code sections:

Attachments: 1. Application, 2. ENS, 3. Map, 4. Notice to Property Owners, 5. List of Property Owners, 6. Letter to Applicant, 7. Huke email

Date	Ver.	Action By	Action	Result
9/9/2016	1	Mayor's Office	Signed	
9/7/2016	1	City Council	Adopted As Amended	Pass

Approving the application of Catholic Schools Center of Excellence (CSCOE), All School Mass, for a sound level variance to present a Mass with worship music and amplified music playing after the Mass with use of a public address system outdoors on Thursday, September 22, 2016, with a pre-event sound check on Wednesday, September 21, 2016 at CHS Field, 360 Broadway Street.

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, the Catholic Schools Center of Excellence, represented by Gail Dorn, CSCOE and Diana Brasch, Event Director, who have been designated as the responsible persons on the application, have applied for a variance, at a requested sound level limit of 100 dBA at no specified distance, to present a Mass with worship music and amplified music playing after the Mass with use of a public address system at CHS Field, 360 Broadway Street; and

WHEREAS, applicants are seeking a variance for the hours of 9:00 a.m. to 1:30 p.m. on Thursday, September 22, 2016, with a pre-event sound check from 2:00 p.m. until 5:00 p.m. on Wednesday, September 21, 2016 to present amplified music and use of a public address system outdoors, for a Mass with worship music and amplified music playing after the Mass during this Event; and

WHEREAS, if applicants are not granted a variance applicants will not be able to present outdoor amplified music with use of a public address system outdoors at CHS Field, 360 Broadway Street; 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

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RESOLVED, that the Council of the City of Saint Paul hereby grants a variance to the Catholic Schools Center of Excellence, subject to the following conditions:

1) The variance will be for the Catholic Schools Center of Excellence All School Mass Event on Thursday, September 22, 2016 with amplified music and use of a public address system, and the hours of 9:00 a.m. to 1:30 p.m., and a pre-event sound check from 2:00 p.m. until 5:00 p.m. on Wednesday, September 21, 2016;

2) All electronically powered equipment, PA systems, loudspeakers or similar devices used in conjunction with the event must not exceed ~~100~~ 90 dBA as measured 100 feet from the sound source.

3) The applicant will provide personnel and equipment to ensure compliance with the sound level variance conditions.

4) All electronically powered equipment, PA systems, loudspeakers or similar devices must be turned off no later than 1:30 p.m. on Thursday, September 22, 2016.

FURTHER RESOLVED, that any violations of the conditions set forth above, may result in denial of any future variances, in addition to any criminal citation which may be issued.

The Catholic Schools Center of Excellence (CSCOE), represented by Gail Dorn, CSCOE and Diana Brasch, Event Director, have requested an exemption from the sound level limitations in Chapter 293.07 in order to present a September 22, 2016 All School Mass Event with amplified music and use of a public address system, with limitations, from 9:00 a.m. to 1:30 p.m., with a pre-event sound check from 2:00 p.m. until 5:00 p.m. on Wednesday, September 21, 2016, at CHS Field, 360 Broadway Street. 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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