City Hall and Court House
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City of Saint Paul

Legislation Details (With Text)

File #:	RES PH 19-112 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	5/1/2019
Title:	Approving the application of Church of Saint Mark for a sound level variance to present live amplified music, carnival rides, and entertainment for Grand Old Saint Mark's Festival on Friday, May 17 and Saturday May 18, 2019 at 1983-1976 Dayton Avenue.		
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		

Date	Ver.	Action By	Action	Result
5/6/2019	1	Mayor's Office	Signed	
5/1/2019	1	City Council	Adopted	Pass

Approving the application of Church of Saint Mark for a sound level variance to present live amplified music, carnival rides, and entertainment for Grand Old Saint Mark's Festival on Friday, May 17 and Saturday May 18, 2019 at 1983-1976 Dayton Avenue.

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, Church of Saint Mark, represented by Alice Chalupsky, Facilities and Safe Environment Coordinator, who has been designated as the responsible person on the application, has applied for a variance, at no specified sound level limit or distance, to present amplified sound at 1983-1976 Dayton Ave.; and

WHEREAS, applicant has requested a variance for the hours from 5:00 p.m. to 10:00 p.m. with a pre-event sound check at 4:30 p.m. on Friday, May 17 and 11:00 a.m. to 5:00 p.m. with a pre-event sound check at 10:30 a.m. Saturday May 18, 2019 for Church of Saint Mark's Grand Old Festival; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 1983-1976 Dayton 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 Church of Saint Mark, subject to the following conditions:

1) The Variance shall be for the hours from 5:00 p.m. to 10:00 p.m. with a pre-event sound check at 4:30 p.m. on Friday, May 17 and 11:00 a.m. to 5:00 p.m. with a pre-event sound check at 10:30 a.m. on Saturday May 18, 2019.

2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA as measured at 50 feet from all sound sources outside.

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 10:00 p.m. on Friday, May 17 and 5:00 p.m. Saturday May 18, 2019, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the Friday, May 17 and Saturday May 18, 2019 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Church of Saint Mark, represented by Alice Chalupsky, have requested an exemption from the sound level limitations in Chapter 293.07 in order to present live amplified music, with limitations, from 5:00 p.m. to 10:00 p.m. with a pre-event sound check at 4:30 p.m. on Friday, May 17 and 11:00 a.m. to 5:00 p.m. with a pre-event sound check at 10:30 a.m. Saturday May 18, 2019. 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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