Legislation Details (With Text)

File #:	RES PH 19-242 **Version:** 1		
Type:	Resolution-Public Hearing	**Status:**	Passed
		In control:	City Council
		Final action:	8/7/2019
Title:	Approving the application of Tawfiq Islamic Center for a sound level variance for amplified sound during the Eid-al-Adha Muslim Festival on Sunday, August 11 or Monday, August 12, 2019 at the Oxford Community Center Football Field.		
Sponsors:	Dai Thao		
Indexes:	Ward - 1		
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
8/9/2019	1	Mayor's Office	Signed	
8/7/2019	1	City Council	Adopted	Pass

Approving the application of Tawfiq Islamic Center for a sound level variance for amplified sound during the Eid-al-Adha Muslim Festival on Sunday, August 11 or Monday, August 12, 2019 at the Oxford Community Center Football Field.

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, Tawfiq Islamic Center, represented by Arif Bakar, Executive Director, has applied for a variance with a requested sound level limit of 80 dBA at no specified distance, for the Eid-al-Adha Muslim Festival on Sunday, August 11 or Monday, August 12, 2019, from 6:30 a.m. to 10:30 a.m., with a pre-event sound check from 6:30 a.m. to 7:00 a.m., at the Oxford Community Center Football Field; 270 Lexington Pkwy North and

WHEREAS, applicants have requested a variance for the hours of 6:30 a.m. to 10:30 a.m., with a pre-event sound check at 6:30 a.m. on Sunday, August 11 or Monday, August 12, 2019; and

WHEREAS, if applicants are not granted a variance they will not be able to have the Eid-al-Adha Muslim Festival at the Oxford Community Center Football Field, 270 Lexington Pkwy North; 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 Tawfiq Islamic Center, subject to the following conditions:

1) The Variance shall be for the hours of 7:00 a.m. to 10:30 a.m., with a pre-event sound check at 7:00 a.m.

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on Sunday, August 11 or Monday, August 12, 2019.

2) All electronically powered equipment used in conjunction with the event shall not exceed 75 dBA as measured 50 feet from any sound source used for prayer and/or announcements.

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 10:30 a.m. on the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on Sunday, August 11 or Monday, August 12, 2019 may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Tawfiq Islamic Center has requested an exemption from the sound level limitations in Chapter 293.07 for the Eid-al-Adha Muslim Festival, on Sunday, August 11 or Monday, August 12, 2019 from 6:30 a.m. to 10:30 a.m., with a pre-event sound check at 6:30 a.m. at the Oxford Community Center Football Field, 270 Lexington Pkwy North. 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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