



## Legislation Details (With Text)

**File #:** RES PH 24- 216      **Version:** 1

**Type:** Resolution-Public Hearing      **Status:** Passed

**In control:** City Council

**Final action:** 8/28/2024

**Title:** Approving the application of Church of the Holy Spirit, Justin Carrick, Business Administrator for a sound level variance in order to present amplified sound on September 7, 2024 at 515 Albert Street South - Church of the Holy Spirit school playground.

**Sponsors:** Saura Jost

**Indexes:** Ward - 3

**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
9/4/2024	1	Mayor's Office	Signed	
8/28/2024	1	City Council	Adopted	Pass

Approving the application of Church of the Holy Spirit, Justin Carrick, Business Administrator for a sound level variance in order to present amplified sound on September 7, 2024 at 515 Albert Street South - Church of the Holy Spirit school playground.

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 the Holy Spirit, Justin Carrick, Business Administrator, who has been designated as the responsible person on the application, has applied for a variance, for a requested sound level limit of 125 dBA measured at no specified distance from the sound source, to present amplified sound at 515 Albert St S - Church of the Holy Spirit school playground; and

WHEREAS, applicant has requested a variance for the hours of 5:30 p.m. to 10:00 p.m. on Saturday, September 7, 2024 with a pre-event sound check at 4:00 p.m. for Spirit Fest; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 515 Albert St S - Church of the Holy Spirit school playground; 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 the Holy Spirit, Justin Carrick, Business Administrator, subject to the following conditions:

1) The Variance shall be for the hours of 5:30 p.m. to 10:00 p.m. on Saturday, September 7, 2024 with a pre-event sound check at 4:00 p.m.

- 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 for the event hours of 5:30 p.m. until 10:00 p.m. and shall not exceed 80 dBA at 50 feet from any sound source at 4:00 p.m. during the pre-event sound check on September 7, 2024.
- 3) The applicant shall continuously monitor the decibel level from the variance approved distance of each noise source throughout the duration of the variance and create a report that records the decibel levels at intervals no greater than 10 minutes apart. The report shall be available for viewing by city staff, upon request.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 10:00 p.m. September 7, 2024.

FURTHER RESOLVED, that any violation of the conditions set forth above on the September 7, 2024 date may result denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Church of the Holy Spirit, represented by Justin Carrick, Business Administrator, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 5:30 p.m. until 10:00 p.m. on September 7, 2024. 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