



## Legislation Text

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**File #:** RES PH 13-169, **Version:** 1

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Approving the application of Tawfiq Islamic Center for a sound level variance for the outdoor Annual Eid Prayer Service on August 8 and 9, 2013 from 7:00 a.m. to 10:30 a.m. 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 Sham Sadin Omar, Board Member, who has been designated as the responsible person on the application, has applied for a variance for the outdoor Annual Eid Prayer Service on August 8 and 9, 2013 from 7:00 a.m. to 10:30 a.m. at the Oxford Community Center Football Field; and

WHEREAS, applicant has requested a variance for the hours of 7:00 a.m. to 10:30 a.m. on August 8 and 9, 2013; and

WHEREAS, if applicant is not granted a variance it will not be able to have the outdoor Annual Eid Prayer Service at the Oxford Community Center Football Field; 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. on August 8 and 9, 2013.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 75 dBA as measured on the east side of Oxford Street North.
- 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 dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the August 8 and 9, 2013 dates 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, represented by Sham Sadin Omar, Board Member, has requested an exemption from

the sound level limitations in Chapter 293.07 for the outdoor Annual Eid Prayer Service on August 8 and 9, 2013 from 7:00 a.m. to 10:30 a.m. at the Oxford Community Center Football Field. 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