



Legislation Text

File #: RES PH 21-199, **Version:** 1

Approving the application of Shine in the World Ministries for a sound level variance in order to present live amplified sound on September 2-5, 2021 at 75 Rev Dr Martin Luther King Jr. Boulevard - MN State Capitol.

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, Shine in the World Ministries, represented by Peter Schuett and Rachel Quan, Executive Director and Event Producer, who have been designated as the responsible persons on the application, has applied for a variance, for a requested sound level limit of 91 dBA at no specified distance, to present amplified sound at 75 Rev Dr Martin Luther King Jr Blvd. - MN State Capitol; and

WHEREAS, applicant has requested a variance for the hours from 7:00 a.m. to 7:00 pm on September 2-3, 2021, 7:00 a.m. to 9:00 p.m. on September 4, 2021, and 8:00 a.m. to 12:00 p.m. on September 5, 2021 with a pre-event sound check from 11:00 a.m. to 6:00 p.m. on September 3, 2021 and 8:00 a.m. to 12:00 p.m. on September 4, 2021 for the Merge Twin Cities Event; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 75 Rev Dr Martin Luther King Jr Blvd. - MN State Capitol; 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 Shine in the World Ministries, subject to the following conditions:

- 1) The Variance shall be for the hours from 7:00 a.m. to 7:00 pm on Thursday, September 2 and Friday, September 3, 2021, 7:00 a.m. to 9:00 p.m. on Saturday, September 4, 2021, and 8:00 a.m. to 12:00 p.m. on Sunday, September 5, 2021 with a pre-event sound check from 11:00 a.m. to 6:00 p.m. on September 3, 2021 and 8:00 a.m. to 12:00 p.m. on September 4, 2021.
- 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.
- 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 7:00 p.m. on September 2-3, 2021, 9:00 p.m. on September 4, 2021 and 12:00 p.m. September 5, 2021, the event dates.

FURTHER RESOLVED, that any violations of the conditions set forth above on the September 2-5, 2021 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Shine in the World Ministries, represented by Peter Schuett and Rachel Quan, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 7:00 a.m. to 7:00 pm on September 2-3, 2021, 7:00 a.m. to 9:00 p.m. on September 4, 2021, and 8:00 a.m. to 12:00 p.m. on September 5, 2021. 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