ORDINANCE NO. 17998

AN ORDINANCE introduced by Mayor Harry Felker relating to the process for granting exceptions from noise prohibitions, amending City of Topeka Code § 54-148, prohibition generally, and specifically repealing said original section.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. City of Topeka Code Section 54-148, Prohibition generally, is hereby amended to read as follows:

Prohibition generally.

(a) It shall be unlawful for any person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the city; provided, that the provisions of this division shall not apply to such occasional and infrequent uses as authorized by special-permit resolution approved by ef the city council, upon a showing by an applicant and determination by the council that the proposed use does not offend the spirit of the findings of section 54-146.

(b) The acts mentioned in the following sections of this division, among others, are declared to be loud, disturbing and unnecessary noises in violation of this division, but such enumeration shall not be deemed to be exclusive.

Section 2. Said City of Topeka Code § 54-148 is hereby specifically repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

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PASSED and APPROVED by the City Council __________

APR 22 2003

[Signature]

Harry Felker, Mayor

ATTEST:

[Signature]

Iris E. Walker, City Clerk

[Box]

APPROVED AS TO FORM AND LEGALITY
DATE 3/27/03 BY

TO BE CODIFIED

NOT TO BE CODIFIED

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