

RESOLUTION NO. 7678

A RESOLUTION introduced by Councilmember John Alcala granting Downtown Topeka, Inc. an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 54-148 makes it unlawful for any person to make, continue or cause to made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety or others within the limits of the city; and

WHEREAS, City of Topeka Code Section 54-148 authorizes the City Council to grant exceptions to the prohibitions of this code section upon request and a showing that the proposed activity does not offend the spirit of the findings of City of Topeka Code Section 54-146, and

WHEREAS, Downtown Topeka, Inc. has requested that it be granted an exception to the provisions of City of Topeka Code Section 54-148 for the purposes, dates and times described herein, and

WHEREAS, upon review of the application of Downtown Topeka, Inc., the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code Section 54-146.

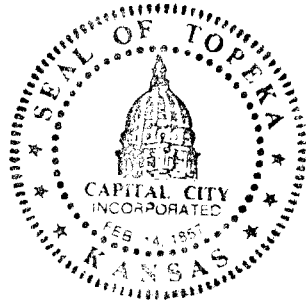
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that Downtown Topeka, Inc. is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 for amplified outdoor music

25 entertainment at the Mexican Independence Day Celebration on Jackson Street
26 between 8th and 10th Streets during the hours of 6 p.m. and 11 p.m. on
27 September 16, 2005.

28 ADOPTED and APPROVED by the City Council September 6, 2005.
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30
31 William W. Bunten
32 William W. Bunten, Mayor
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34 Iris E. Walker
35 Iris E. Walker, City Clerk
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APPROVED AS TO FORM AND LEGALITY	
DATE <u>9/7/05</u>	BY <u>[Signature]</u>