

RESOLUTION NO. 7686

A RESOLUTION introduced by Councilmember Lana Kennedy granting House of Barbecue an exception to the provisions of City of Topeka Code Section 54-148 concerning noise.

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, House of Barbecue 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 House of Barbecue, 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 House of Barbecue is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 for live outdoor music provided by local bands at its 5<sup>th</sup> Annual Fall Soul Food Festival to be held at the Judicial

26 Center parking lot between Jackson and Harrison Streets on 12<sup>th</sup> Street on

27 October 1, 2005 from 1:00 p.m. to 12:00 p.m. midnight.

28 ADOPTED and APPROVED by the City Council September 20, 2005.

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William W. Bunten  
William W. Bunten, Mayor

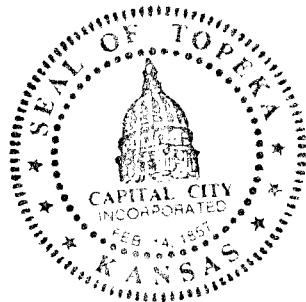
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Iris E. Walker  
Iris E. Walker, City Clerk

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APPROVED AS TO FORM AND LEGALITY	
DATE <u>9/7/05</u>	BY <u>RL</u>