

RESOLUTION NO. 7789

A RESOLUTION introduced by Councilmembers Clark Duffy granting House of Barbecue, 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, 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 a live band and gala

25 activities at the Nancy Boyda social event during the hours of 12:00 p.m. until
26 2:00 p.m. on April 30, 2006.

27 ADOPTED and APPROVED by the City Council April 25, 2006.

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William W. Bunten
William W. Bunten, Mayor

Iris E. Walker
Iris E. Walker, City Clerk



APPROVED AS TO FORM AND LEGALITY	
DATE <u>4/19/06</u>	BY <u>[Signature]</u>