RESOLUTION NO. 7852

A RESOLUTION introduced by Councilmember Lana Kennedy, granting Burlington Northern Santa Fe 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, Burlington Northern Santa Fe 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 Burlington Northern Santa Fe, 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 Burlington Northern Santa Fe is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 for a deejay and amplified
music at the United Way Kick-Off and Pledge Drive located at 11th and Quincy
during the hours of 11:00 a.m. and 2:00 p.m. on September 11, 2006. The event
will be held in the lot on the northeast corner.

ADOPTED and APPROVED by the City Council September 5, 2006.

_________________ ___________________
William W. Bunten, Mayor

___________________________
Iris E. Walker, City Clerk