RESOLUTION NO. 7981

A RESOLUTION introduced by Councilmember Jack Woelfel, granting Shannen Rodriguez 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, Shannen Rodriguez has requested that he 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 Shannen Rodriguez, 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, except as otherwise provided herein, Shannen Rodriguez is hereby granted an exception from the provisions of City of Topeka Code Section 54-148

COUNRES
Shannen Rodriguez-Noise Exception
07/16/07
for amplified music located at 2430 SE Minnesota Avenue from 5:00 p.m. to 9:00 p.m. on August 18, 2007.

BE IT FURTHER RESOLVED that this exception shall be voided and of no effect if a documented complaint about excessive noise is received by the Topeka Police Department, the complaint is communicated to Shannen Rodriguez by the Topeka Police Department, and Shannen Rodriguez fails to lower the noise to a level that is compliant with City of Topeka noise restrictions and prohibitions as provided by City of Topeka Code Section 54-146 et seq.

ADOPTED and APPROVED by the City Council August 7, 2007.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk