RESOLUTION NO. 8463

A RESOLUTION introduced by Councilmember Karen Hiller, granting ESI Live Inc. an exception to the provisions of City of Topeka Code Section 9.45.150, et seq. concerning noise prohibitions.

WHEREAS, City of Topeka Code Section 9.45.150, et seq. makes it unlawful for any person to make, continue or cause to be 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 9.45.170, et seq. 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 9.45.150, et seq.; and

WHEREAS, ESI Live Inc. has requested that it be granted an exception to the provisions of City of Topeka Code Section 9.45.150, et seq. for the purposes, dates and times described herein, and

WHEREAS, upon review of the application of ESI Live 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 9.45.150, et seq.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that ESI Live Inc. is hereby granted an exception from the provisions of City of Topeka Code Section 9.45.150, et seq., for a music concert on September 7, 2012 located on 8th Avenue between S. Kansas Avenue and

ESI Live Inc- 08-15-12
Jackson Street from 9:00 p.m. until 11:59 p.m. and a Brews, BBQ, & Blues Fest at the same location on September 8, 2012 from 3:00 p.m. until 11:59 p.m.

ADOPTED and APPROVED by the City Council August 28, 2012.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk