RESOLUTION NO. 8471

A RESOLUTION introduced by Councilmember Larry Wolgast, granting Tornado Alley Entertainment 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, Tornado Alley Entertainment has requested that they 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 Tornado Alley Entertainment, 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 Tornado Alley Entertainment is hereby granted an exception from COUNRES Tornado Alley-Noise Exception 09/12/13
the provisions of City of Topeka Code Section 9.45.150, et seq. for the 3rd annual Walk in the Park event located at Betty Phillips Park, 3300 SE Irvingham Street, during the hours of 3:00 p.m. and 8:00 p.m. on September 30, 2012.

ADOPTED and APPROVED by the City Council September 25, 2012.

CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

ATTEST:

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Brenda Younger, City Clerk