RESOLUTION NO. 8533

A RESOLUTION introduced by Councilmember Michelle De La Isla, granting Boss Hawg’s 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, Boss Hawg’s 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 Boss Hawg’s, 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 Boss Hawg’s is hereby granted an exception from the provisions of City of Topeka Code Section 9.45.150, et seq. for live band performances located on the veranda at 2833 SW 29th Street during the hours of 9:00 p.m. and 11:59 p.m. on Saturdays of each month to commence in July 2013 and end in
October 2013. The dates for the events are as follows: July 27, 2013; August 10, 24, 31, 2013; September 14 and 28, 2013; October 5, 2013.

ADOPTED and APPROVED by the City Council July 23, 2013.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk