

RESOLUTION NO. 7393

A RESOLUTION introduced by Councilmember Duane Pomeroy granting House of Barbecue an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions and rescinding City of Topeka Resolution No. 7361.

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, House of Barbecue 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 House of Barbecue, 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.

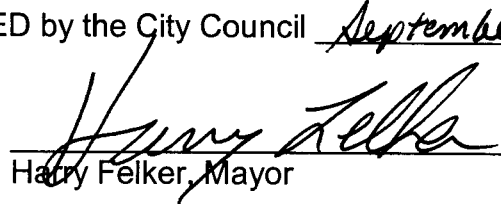
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that House of Barbecue is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 for outdoor musical

26 entertainment provided by a live band at the State of Kansas parking lot located
27 on the southeast corner of the 10th and Topeka intersection on October 4, 2003
28 during the hours of 2:30 p.m. and 11:00 p.m.

29 BE IT FURTHER RESOLVED that City of Topeka Resolution No. 7361 is
30 hereby rescinded.

31 ADOPTED and APPROVED by the City Council September 16, 2003.

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Harry Felker, Mayor



Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 9/12/03 BY BL

