

RESOLUTION NO. 7507

A RESOLUTION introduced by Councilmember Jeff Preisner granting Shakes Frozen Custard 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, Shakes Frozen Custard 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

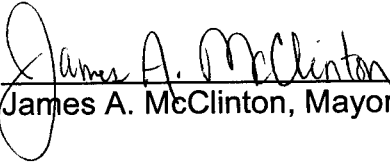
WHEREAS, upon review of the application of Shakes Frozen Custard, the Council of the City of Topeka does hereby find that the requested activity does not offend the spirit of the findings of City of Topeka Code Section 54-146.

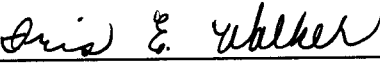
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Topeka that Shakes Frozen Custard is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 while providing amplified music to celebrate its 1st year anniversary in Topeka on August 21, 2004 and to

26 to show customer appreciation on August 28, 2004, to be held at 1630 SW
27 Arvonja Place during the hours of 12:00 p.m. and 11:00 p.m.

28 ADOPTED and APPROVED by the City Council AUG 17 2004.

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James A. McClinton, Mayor


Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 8/10/04 BY Ed

