

RESOLUTION NO. 7521

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 for a free community concert and radio remote on September 17, 18 and

26 2004 to be held at 1630 SW Arvon Place during the hours of 7 p.m. and 11:00
27 p.m. with a sound check of the amplification system from noon to 1 p.m. on those
28 dates.

29 ADOPTED and APPROVED by the City Council SEP 14 2004.

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James A. McClinton
James A. McClinton, Mayor

Iris E. Walker
Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 9/7/04 BY BL

