

1 RESOLUTION NO. 7813

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3 A RESOLUTION introduced by Councilmember Lana Kennedy granting  
4 Downtown Topeka, Inc. and Cumulus Broadcasting an  
5 exception to the provisions of City of Topeka Code Section 54-  
6 148 concerning noise prohibitions.  
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8 WHEREAS, City of Topeka Code Section 54-148 makes it unlawful for  
9 any person to make, continue or cause to made or continued any loud,  
10 unnecessary or unusual noise or any noise which either annoys, disturbs, injures  
11 or endangers the comfort, repose, health or safety or others within the limits of  
12 the city; and

13 WHEREAS, City of Topeka Code Section 54-148 authorizes the City  
14 Council to grant exceptions to the prohibitions of this code section upon request  
15 and a showing that the proposed activity does not offend the spirit of the findings  
16 of City of Topeka Code Section 54-146, and

17 WHEREAS, Downtown Topeka, Inc. and Cumulus Broadcasting have  
18 requested that they be granted an exception to the provisions of City of Topeka  
19 Code Section 54-148 for the purposes, dates and times described herein, and

20 WHEREAS, upon review of the application of Downtown Topeka, Inc. and  
21 Cumulus Broadcasting, the Council of the City of Topeka does hereby find that  
22 the requested activity does not offend the spirit of the findings of City of Topeka  
23 Code Section 54-146.

24 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of  
25 Topeka that Downtown Topeka, Inc. and Cumulus Broadcasting are hereby

26 granted an exception from the provisions of City of Topeka Code Section 54-148  
27 during the "Burnin Downtown" chili cook off and street festival event wherein  
28 amplified music will be played on September 29, 2006 during the hours of 6:30  
29 p.m. and 11:00 p.m. and on September 30, 2006 during the hours of 12:00 p.m.  
30 and 11:00 p.m. on Kansas Avenue between 7<sup>th</sup> Street and 9<sup>th</sup> Street and on 8<sup>th</sup>  
31 Street between Jackson Street and Quincy Street.

32 ADOPTED and APPROVED by the City Council June 13, 2006.

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William W. Bunten, Mayor

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Iris E. Walker, City Clerk

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