

1 RESOLUTION NO. 7852

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3 A RESOLUTION introduced by Councilmember Lana Kennedy, granting
4 Burlington Northern Santa Fe an exception to the provisions of
5 City of Topeka Code Section 54-148 concerning noise
6 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, Burlington Northern Santa Fe has requested that it be
18 granted an exception to the provisions of City of Topeka Code Section 54-148 for
19 the purposes, dates and times described herein, and

20 WHEREAS, upon review of the application of Burlington Northern Santa
21 Fe, the Council of the City of Topeka does hereby find that the requested activity
22 does not offend the spirit of the findings of City of Topeka Code Section 54-146.

23 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of
24 Topeka that Burlington Northern Santa Fe is hereby granted an exception from
25 the provisions of City of Topeka Code Section 54-148 for a deejay and amplified

26 music at the United Way Kick-Off and Pledge Drive located at 11th and Quincy
27 during the hours of 11:00 a.m. and 2:00 p.m. on September 11, 2006. The event
28 will be held in the lot on the northeast corner.

29 ADOPTED and APPROVED by the City Council September 5, 2006.

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William W. Bunten, Mayor

Iris E. Walker, City Clerk