

1 RESOLUTION NO. 7871

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

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

16 WHEREAS, House of Barbecue has requested that it be granted an
17 exception to the provisions of City of Topeka Code Section 54-148 for the
18 purposes, dates and times described herein, and

19 WHEREAS, upon review of the application of House of Barbecue, the
20 Council of the City of Topeka does hereby find that the requested activity does
21 not offend the spirit of the findings of City of Topeka Code Section 54-146.

22 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of
23 Topeka that House of Barbecue is hereby granted an exception from the
24 provisions of City of Topeka Code Section 54-148 for amplified music at the

25 annual Fall Festival located at 1221 SW Huntoon Street during the hours of 1:00
26 p.m. and 10:00 p.m. on September 30, 2006.

27 ADOPTED and APPROVED by the City Council September 26, 2006.

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William W. Bunten, Mayor

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY DATE _____ BY _____
