

RESOLUTION NO. 7936

A RESOLUTION introduced by Councilmember Richard Harmon granting On the Border Mexican Grill and Cantina 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, On the Border Mexican Grill and Cantina 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 On the Border Mexican Grill and Cantina, 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 On the Border Mexican Grill and Cantina is hereby granted an

26 exception from the provisions of City of Topeka Code Section 54-148 for
27 amplified music and live band festivities located at 1235 SW Wanamaker Road
28 during the hours of 11:00 a.m. and 11:00 p.m. on May 5, 2007. The event will be
29 held inside the business and in the parking lot.

30 ADOPTED and APPROVED by the City Council April 17, 2007.

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William W. Bunten, Mayor

Brenda Younger, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE _____ BY _____