

RESOLUTION NO. 7952

A RESOLUTION introduced by Councilmember John Alcala, granting Sacred Heart-St. Joseph Parish for its annual Germanfest 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, Sacred Heart-St. Joseph Parish 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 Sacred Heart-St. Joseph Parish, 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 Sacred Heart-St. Joseph Parish is hereby granted an exception from

26 the provisions of City of Topeka Code Section 54-148 for amplified outdoor
27 musical entertainment and outdoor Mass service during its annual Germanfest to
28 be held on the church grounds located at 312 NE Freeman Avenue on June 2,
29 2007 between the hours of 3:00 p.m. and 11:00 p.m. and on June 3, 2007
30 between the hours of 10 a.m. and 7 p.m.

31 ADOPTED and APPROVED by the City Council May 22, 2007.

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William W. Bunten, Mayor

Brenda Younger, City Clerk

APPROVED AS TO FORM AND LEGALITY

DATE _____ BY _____