

**RESOLUTION NO. 7995**

A RESOLUTION introduced by Councilmember Jeff Preisner granting the Hispanic Heritage Month Committee 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, the Hispanic Heritage Month Committee 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 the Hispanic Heritage Month Committee, 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 the Hispanic Heritage Month Committee is hereby granted an

26 exception from the provisions of City of Topeka Code Section 54-148 for  
27 amplified outdoor music entertainment at the Mexican Independence Day  
28 Celebration on 9<sup>th</sup> Street between Kansas Avenue and Jackson Street during the  
29 hours 3:00 p.m. and 11:00 p.m. on September 15, 2007.

30

31 ADOPTED and APPROVED by the City Council September 11, 2007.

32

33

34

35

---

William W. Bunten, Mayor

36

37

38

39

40

---

Brenda Younger, City Clerk