

RESOLUTION NO. 8119

A RESOLUTION introduced by Councilmember Lana Kennedy, granting St. John's Lutheran Church 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, St. John's Lutheran Church 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 St. John's Lutheran Church, 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 St. John's Lutheran Church is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 for a live band and festivities

25 at the Oktoberfest celebration located at 901 SW Fillmore Street during the hours
26 of 11:00 a.m. and 3:00 p.m. on October 19, 2008.

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28 ADOPTED and APPROVED by the City Council October 14, 2008.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk