

**RESOLUTION NO. 8169**

A RESOLUTION introduced by Councilmember John Alcala granting Fiesta Mexicana an exception to the provisions of City of Topeka Code Section 54-148 concerning noise prohibitions during its parade and street party scheduled for July 10, 2009.

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, Fiesta Mexicana 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 Fiesta Mexicana, 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 Fiesta Mexicana is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 while celebrating and sharing Mexican

26 culture with a parade and street party on SE Quincy Street between 7<sup>th</sup> and 8<sup>th</sup>  
27 Streets during the hours of 5:00 p.m. and midnight on July 10, 2009.

28 ADOPTED and APPROVED by the City Council June 16, 2009.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk