

**RESOLUTION NO. 8187**

A RESOLUTION introduced by Councilmember Larry Wolgast, granting Frederick Perez 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, Frederick Perez has requested that he 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 Frederick Perez, 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 Frederick Perez is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 for a live band and amplified music located at 903 SE 43<sup>rd</sup> Street from 7:00 p.m. to 8:30 p.m. on August 21, 2009.

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ADOPTED and APPROVED by the City Council August 18, 2009.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk