

RESOLUTION NO. 8197

A RESOLUTION introduced by Councilmember Sylvia Ortiz, granting the National Park Service 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 National Park Service 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 National Park Service, 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 National Park Service is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 for a live band at the Hispanic Heritage Month Celebration located at Brown vs. Board of Education, 1515 SE

26 Monroe Street, during the hours of 2:00 p.m. and 8:00 p.m. on September 19,
27 2009.

28 ADOPTED and APPROVED by the City Council September 15, 2009.

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William W. Bunten, Mayor

Brenda Younger, City Clerk