

**RESOLUTION NO. 8200**

A RESOLUTION introduced by Councilmember Jack Woelfel, granting Orlando Rivera 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, Orlando Rivera 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 Orlando Rivera, 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 Orlando Rivera is hereby granted an exception from the provisions of City of Topeka Code Section 54-148 for a live band located at 2344 SE Massachusetts Avenue from 5:00 p.m. to 11:00 p.m. on September 26, 2009.

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ADOPTED and APPROVED by the City Council September 22, 2009.

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William W. Bunten, Mayor

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Brenda Younger, City Clerk